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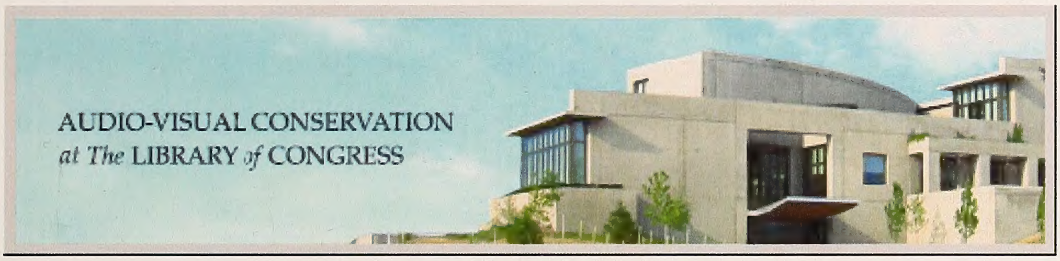
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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 63 NEW YORK, U. S. A., TUESDAY, APRIL 1, 1941 TEN CENTS

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Exhibitor Wins Split Decision On Clearance

Arbitration Ruling in Baltimore Case

WASHINGTON, March 31.—E. Barrett Prettyman, arbitrator, ruled here today that the Ambassador, Baltimore, may retain its present seven days' clearance over the Walbrook Theatre but that the Walbrook shall receive 20th Century-Fox and Warner product immediately after the Forrest and Gwynn Theatres.

This was the first arbitration on clearance to be brought to a clear-cut decision.

The Walbrook is operated by Thomas D. Goldberg, whose clearance complaint against 20th Century-Fox and Warners named the three Durkee Circuit houses.

The decision was handed down following a five-day hearing ending with a midnight session last Saturday. Prettyman held that the Ambassador, adjudged the best house of the four,

(*Continued on page* 6)

U. S. Victory Would Nullify Pacts: Col.

Stars and exhibitors whose contracts with Columbia could be nullified by the Government's New York anti-trust suit against the Little Three are "indispensable parties to the action" and should be named as defendants, the company asserts in its answers to the Federal complaint filed in U.S. District court here yesterday.

The 110-page answer, filed by Schwartz & Frohlich, Columbia counsel, names the Loew's circuit, Radio City Music Hall, Irene Dunne and Cary Grant among those whose contracts with Columbia would be nulli-

(*Continued on page* 6)

Chaplin Sued Over 'Dictator' Sequence

Charles Chaplin and United Artists Corp. were named defendants yesterday in an infringement suit filed in the U. S. District Court by Charles De Haven. The plaintiff contends that the film "The Great Dictator" allegedly pirates a unique comedy balloon dance which the plaintiff claims he had originated in a playlet called "Follies of 1776." De Haven states that he has performed this dance in theatres throughout the country, and seeks an injunction and damages.

Film Trade Press Is 'Constructive': Hays

Will H. Hays, president of the M. P. P. D. A., discussing the trade press in his annual report yesterday, said:

"It is not only a medium for the exchange of information among all branches of the industry, but it is able to survey our problems as a whole and render constructive service in the execution of our programs."

Stuart and Powers To Direct 20th-Fox Australian Circuit

Herschel Stuart and William T. Powers, the latter chief film buyer for National Theatres, and the former field executive with the organization, will leave soon for Australia to represent 20th Century-Fox, parent company, in connection with the operation of Hoyt's Australian theatre circuit, in the event Sidney R. Kent, president, and Spyros Skouras, operating head of the National Theatres Company, approve.

Kent will return from Florida about the middle of the month. In the meantime, Stuart who has been operating out of Salt Lake City for the Fox Intermountain group of National Theatres, is reported to be on the Coast for conferences with Charles Skouras and other headquarters officials of National Theatres, prior to receiving his embarkation orders.

Spyros Skouras has been giving the Australian matter considerable personal attention in recent years. More recently, Dan Michalove went there as an ambassador for the company and to make a report on condi-

(*Continued on page* 9)

SCREEN IS VITAL TO DEFENSE, SAYS HAYS

Annual Report of MPPDA President Cites Industry Role in Program; Horror, Crime Films Decline, He Finds

Screen entertainment is a definite element in total national defense in the present emergency, Will H. Hays asserted in his annual report to the M.P.P.D.A. board of directors yesterday.

[The industry's blocked currency in Britain by November will be $34,000,000, Hays estimated at the annual meeting yesterday.—See Page 6.]

The report describes the industry as already engaged in its national defense role, including the strengthening of Western hemisphere solidarity. It finds the industry in a strong position despite such vital 1940 developments as loss of foreign markets, restrictions on currency withdrawals and Federal litigation ending in a consent decree for a large part of the industry.

Will H. Hays

Hays notes a decline in the production of crime and horror pictures during the year, an absence of "hate" films stemming from war or allied themes, and gives recognition to the work of the newsreels and trade press.

The report reveals that the industry's dollar contributions in 1940

(*Continued on page* 6)

MPTOA Meet Planned for Coast in June

LOS ANGELES, March 31.—Trustees of the Pacific Coast Conference of Independent Theatre Owners today set June 9 to 11 as the date for its second annual convention, to be held at the Ambassador Hotel here.

The trustees invited the M. P. T. O. A. to hold its "goodwill all-industry convention" here at the same time. Ed Kuykendall, M. P. T. O. A. president, left here last night, and will confer regarding this matter with the M. P. T. O. A. board. Acceptance was indicated.

The invitation to the national organization resulted after the PCCITO trustees named Hugh Bruen, Jack Berman, Rotus Harvey and Robert H. Poole as a committee to work out a plan so that no conflict in dates of the two conventions would result.

It is planned that the PCCITO will hold its individual business open forum sessions in the mornings, the M. P. T. O. A. meeting afternoons.

83.7% of Urban Families Listen to Radio, N.A.B.-Sponsored Survey Shows

A total of 83.7 per cent of all urban families listen to the radio and the overall average of listening time is four hours and 17 minutes daily, according to a survey conducted for the National Association of Broadcasters, CBS and NBC.

It was reported that 77.9 per cent of urban families listen at least once daily and that the daily total is 77,321,100 hours. Saturday and Sunday audiences were found to equal those of weekdays. About one-fourth of all listeners tune in during the morning and a little less than half during evening hours.

The survey was conducted during 1938 and 1939, and the figures have just been compiled. The number of listeners were 11.2 per cent greater in those years than in 1937, it was found. As of Jan. 1, 1940, a total of 90 per cent of all urban families owned at least one set and 29.2 per cent owned two or more, it was reported.

'Wings', 'Girl', 'Wolf' Lead B'way Films

Broadway first run business improved considerably over the weekend, with new films strong attractions. Current leaders are "I Wanted Wings," "Nice Girl?" and "The Sea Wolf."

"I wanted Wings" grossed an estimated $10,500 Thursday to Sunday, inclusive, at the Astor, following the premiere Wednesday night. The Paramount picture is on a two-a-day basis at $2 top, with three shows Saturday and Sunday. In its first week,

(*Continued on page* 6)

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British Technicians Urge Nationalization

London, March 31.—The Association of Cine Technicians at its annual meeting next Sunday will consider a memorandum drawn by a committee which pleads for nationalization of the film industry. The committee memorandum does not recommend the present quota system.

Schenck Character Witnesses on Stand

Charles Chaplin, Irving Berlin, Phil S. Gibson, Chief Justice of the California Supreme Court, and John Golden took the stand yesterday as defense character witnesses in the trial of Joseph M. Schenck and Joseph H. Moskowitz. The witnesses were called after Federal Judge Grover M. Moscowitz denied a motion to dismiss the Government action and strike out parts of the indictment on seven different grounds.

Chaplin, in referring to Schenck's activity in United Artists between 1924 and 1935, said the latter settled all arguments. Asked by Harold H. Corbin, defense attorney, concerning Schenck's reputation for honesty and integrity in the industry, Chaplin replied, "I know it thoroughly; it is good." The other witnesses testified similarly. A number of other character witnesses are expected to testify.

N.V.A. Benefit Show Scheduled April 20

The National Variety Artists will celebrate their Silver Jubilee on Sunday evening, April 20, at the annual benefit to be held at the Manhattan Center Theatre (formerly Manhattan Opera House).

George M. Cohan again is executive chairman, and will present his song-and-dance turn. Other stars who will appear are George Jessel, Molly Picon, Willie Howard, Benny Fields, Bill Robinson and others. Arthur Murray will supervise a series of special dances after the evening's performance.

Small Announces 2 Additional Films

HOLLYWOOD, March 31.—Edward Small has announced two additional features for United Artists release in the 1941-'42 season. The two films will be "Two Years Before the Mast," from the novel by Richard Henry Dana, and "In Rudolf Valentino's Day," based on the life of the late silent film star.

Hold Bernard Falk Rites

Funeral services were held in Brooklyn on Friday for Bernard Falk, 25, assistant manager of the Avalon, Century Circuit theatre, with which he had been associated for six years. He died Thursday of pneumonia. Burial was at Washington Cemetery, Brooklyn.

William Vollman Dies

CINCINNATI, March 31.—William Vollman, 67, president and treasurer of Strand Enterprises, Inc., and manager of the Strand office building and Strand Theatre, downtown subsequent run, died in General Hospital early Saturday. Two sisters survive.

Personal Mention

MR. AND MRS. EDWIN L. WEISL leave Hollywood today for New York.

•

Y. FRANK FREEMAN, Paramount vice-president and studio head, left for the Coast by train last night.

•

R. B. WILBY, A. H. BLANK and S. A. LYNCH are in New York for Paramount home office conferences.

•

LEON NETTER, Paramount home office theatre official, will return to New York from New Orleans tomorrow.

•

HARRY I. WAXMANN, Atlantic City theatre operator, has returned from Miami Beach.

•

S. BARRET MCCORMICK, RKO advertising and publicity director, is due from the Coast tomorrow.

•

RUBE JACKTER, Columbia assistant sales manager, returned yesterday from a Florida vacation.

•

MR. and MRS. HARRY FISHMAN of the Community Theatre, Fairfield, Conn., have announced the engagement of their daughter, JEAN, to DR. AARON HOFFMAN of Bridgeport.

•

CHARLES B. MOSS, managing director of Loew's Criterion on Broadway, is due back from Florida with MRS. MOSS tomorrow.

•

SAM RINZLER, ROBERT WOLFF, ARTHUR SILVERSTONE, EMANUEL SILVERSTONE and EDWARD PESKAY having lunch yesterday at Lindy's (next to the Rivoli).

SPYROS SKOURAS returned here from Detroit yesterday.

•

A-MIKE VOGEL, chairman of the Managers' Round Table of *Motion Picture Herald,* returned yesterday from the Coast.

•

J. J. FITZGIBBONS, managing director of Famous Players Canadian Corp., has gone to Hot Springs, Ark., for a vacation.

•

STANTON GRIFFIS, chairman of the Paramount executive committee, plans to leave for the Coast at the end of the week.

•

CHARLES ZAGRANS, 20th Century-Fox branch manager in Philadelphia, has returned from Hot Springs, Ark.

•

ALAN FREEDMAN and E. I. Sponable are expected in New York today from the Coast.

•

JOSEPH BERNHARD, MRS. ARMANDO, MOE SILVER, SAM SHAIN, RUTH WEISBERG, TOBY GRUEN, GEORGE DEMBOW, LEONARD GOLDENSON, AUSTIN KEOUGH, JOHN D. HERTZ, JR., JOHN BUCHANAN, SIDNEY PHILLIPS, ARTHUR MAYER, WILLIAM BRANDT, ROBERT WEITMAN, DENNIS KING and LEE SHUBERT lunching at Sardi's yesterday.

•

CHARLES CASANAVE, GEORGE WELTNER, JOHN W. HICKS, WILLIAM ORR, MAX A. COHEN, DAVE LEVY, STANTON GRIFFIS, RUSSELL HOLMAN, MAX DREYFUS and OWEN DAVIS at Nick's Hunting Room in the Astor yesterday for lunch.

Late News Flashes from the Coast

Hollywood, March 31

LEADING Hollywood correspondents today organized as an informal group to discuss with the studios and publicity directors various subjects, including the recent rearrangement of preview lists and other grievances. Douglas Churchill of the *New York Times* presided and appointed a committee consisting of Louella Parsons, Edwin Schallert, Frederick Othman, Harold Heffernan, Wolfe Kaufman and himself to confer with the publicity directors' committee of the Association of M. P. Producers this week. Others present were John Truesdale, James F. Crow, Hedda Hopper, Virginia Wright, Richard Pollard, James Fidler, Sidney Skolsky, Harrison Carroll, James Starr, Robbin Coons, Ralph Roradan and Hubbard Keavy.

• •

Delayed by storms, Arthur W. Kelly, United Artists vice-president in charge of distribution, arrived here today to confer with U. A. producers on the company's proposed new sales plan.

• •

Bill Hebert today was signed as publicity director for Samuel Goldwyn, replacing Myron Lustig, who will be associated in theatre operations with Gus and Lou Metzger and Harry Srere. Hebert formerly was with Warners, make the trip in a special train and will be taken on a tour of inspection.

• •

George Breslin and Michael Luddy, attorneys for William Bioff, I.A.T.S.E. leader, today filed a motion for a bill of particulars in the Government's action against Bioff for alleged income tax evasion. The hearing was postponed to April 21 due to the absence of William F. Hall, assistant U. S. Attorney, who will handle the trial. Hall is now in New York.

• •

Herbert Drake, assistant to Orson Welles, left tonight by plane for New York, on receipt of a telegram from Welles stating his belief that "Citizen Kane" will be released for a showing in New York within two weeks.

• •

Sam Wood today signed a deal with Paramount by which he is to produce and direct three films over a three-year period. His first will be "Miss Susie Slagle's." Wood last week signed a similar contract with RKO. He has formed his own production company.

• •

Paramount announced today it will hold a press review of "Caught in the Draft" at Fort Ord, near Monterey, May 2. The press and studio party will make the trip in a special train and will be taken on a tour of inspection of the camp in armored cars.

News Broadcasts Used by Theatre

SCRANTON, Pa., March 31.—The Strand, unit of the Comerford circuit, is experimenting with news broadcasts as part of its evening program.

Nightly at 8:55, Elmer Davis is tuned in through the sound system which is hooked up with WGBI, local CBS outlet. His comment is preceded by a brief trailer showing Davis in a closeup. The trailer fades out a[illegible] 40 seconds after the voice is heard and from that point to the end of the broadcast there is partial lighting in the front of the house. The newsreel follows the broadcast.

Broadcast Opening Of Bette Davis Film

The premiere of "The Great Lie," Warner film starring Bette Davis, at the Premier Theatre, Littleton, N. H., on Saturday will be broadcast over the Colonial Network covering New England and the Middle Atlantic States. In addition, in a tieup on the birthday of Miss Davis, 84 stations of the NBC-Red on Friday will broadcast "Your Happy Birthday" program with Miss Davis participating from Station WJZ here, with Jimmy Dorsey, whose band will appear at the Strand in conjunction with "The Great Lie."

Gov. Robert O. Blood of New Hampshire will lead the grand march at the ball which will be a feature of the premiere celebration Saturday evening in Littleton.

Officers Confer on New Training Films

HOLLYWOOD, March 31.—Col. A. D. Bruce of the U. S. Army General Staff left here last night after two days of conferences with industry leaders on cooperative production of Army training films by the Research Council of the Academy of Motion Picture Arts and Sciences.

Bruce left for San Francisco with Major Nathan Levinson; Major Charles S. Stodter, War Department liaison officer here, and Captain Gordon S. Mitchell of the Research Council, to discuss with Army officers the availability of staff equipment for use in training films.

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45 Pictures Now in Work In Hollywood

HOLLYWOOD, March 31.—Forty-five pictures were before the cameras this week, as 12 finished and 14 started. Seventy-nine were being prepared and [illegible] were being edited. Warners was the busiest studio, with eight shooting.

The tally by studio:

Columbia

Finished: "Time Out for Rhythm," "Senate Page Boys."

In Work: "Officer and the Lady."

Started: "Hands Across the Rockies."

M-G-M

Finished: "Billy the Kid," "A Woman's Face," "Love Crazy."

In Work: "Blossoms in the Dust," "Dr. Jekyll and Mr. Hyde," "The Uniform," "Lady Be Good," untitled Dr. Kildare, "Man from the City," untitled Marx Brothers vehicle.

Monogram

Finished: "Widows of the Press," "The Phantom Killer."

Started: "King of the Zombies," "Redhead," "Pioneers."

Paramount

In Work: "Skylark," "The Great Man's Lady," "Hold Back the Dawn," "The Night of January 16th," "Buy Me That Town," "Aloma of the South Seas."

RKO

Finished: "Hurry, Charlie, Hurry."

In Work: "Sunny," "Before the Fact," "Tom, Dick and Harry," "My Life with Caroline," "A Certain Mr. Scratch."

Started: "Parachute Battalion."

Republic

Finished: "Lady from New Orleans," "Singing Hills."

In Work: "Country Fair."

Started: "Sheriff of Tombstone," "The Gay Vagabond."

20th Century-Fox

In Work: "Blood and Sand," "Man Hunt," "Miami."

Started: "Sun Valley."

Universal

Finished: "Sing Another Chorus."

In Work: "Tight Shoes," "Sandy Steps Out," "Unfinished Business."

Started: "Hello, Sucker," "Men of the Timberlands."

Warners

In Work: "Sergeant York," "The Gentle People," "Underground," "Passage from Hongkong," "Dive Bomber."

Started: "Manpower," "Bad Men of Missouri," "Flight Patrol."

Export Control List Has Film Materials

WASHINGTON, March 31.—The Administrator of Export Control has issued a booklet containing export control regulations and export control schedule No. 1, including a list of articles and materials prohibited for export except under license. The list includes lenses, optical glass, electrical wiring, transformers, radio tubes and other materials used in radio and motion pictures.

Hollywood Reviews

"Ride On, Vaquero"

(20th Century-Fox)

Hollywood, March 31

THEY can take Cisco Kid out of the title, for whatever reason, but they can't take the zing out of a Cisco Kid picture when it's made, as this one is, to the measure of Cesar Romero, seen here at the peak of his form as a dashing, daring, dancing desperado engaged for the moment in promoting the ends of justice. Under any title, and whether a majority of the public knows what a vaquero is or not, this is the best picture in the series to date.

In this number the Cisco Kid is captured by the soldiery at the outset of the action and permitted to escape for the present on the understanding that he'll find out who's doing a spot of kidnapping down by the border and bring him or them in. Kidnapping, says the dialogue, is a crime beneath the Kid's contempt, wherefore he does find out, and brings in the trio of abductors-for-ransom, bringing the film to a desired conclusion after many a narrow escape, many a nifty turning of tables and, of particular interest to the feminine trade, some flashy dancing with Senorita Mary Beth Hughes, the lady that's known as Sally and doesn't turn the bandit in.

Others engaged in the pastime are Chris-Pin Martin, Lynne Roberts, Robert Lowery, Ben Carter, William Demarest, Robert Shaw, Edwin Maxwell, Paul Sutton, Don Costello, Arthur Hohl, Paul Harvey and Joan Woodbury. Direction is by Herbert I. Leeds and the film represents the Sol Wurtzel side of 20th Century-Fox production at its best.

Running time, 64 minutes. "G."* ROSCOE WILLIAMS

"Robbers of the Range"

(RKO)

Hollywood, March 31

A SCHEME on the part of a railroad agent to deprive ranchers of their land provides the plot basis in this fourth of the Tim Holt starring series of westerns.

Produced and directed by the same duo as previous pictures of the group, Bert Gilroy and Edward Killy, respectively, the picture also features Ray Whitley and Emmett Lynn, with Whitley singing a song he and Fred Rose composed. Virginia Vale lends romantic interest.

Plenty of riding and shooting are provided, and photography takes full advantage of the outdoor scene. The film is on a par with the best of its predecessors in the series.

Running time, 61 minutes. "G."* W. S.

**"G" denotes general classification.*

8 of 10 New Films Are Approved by Legion

Of 10 new films reviewed by the National Legion of Decency, eight have been approved—three for general patronage and five for adults—and two classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"The Great Swindle," "Ride on, Vaquero," "Shadows on the Stairs." Class A-2, Unobjectionable for Adults—"The Bad Man," "The Man Who Lost Himself," "Repent at Leisure," "That Hamilton Woman," "Topper Returns." Class B, Objectionable in Part—"Chinese Den," "I Wanted Wings."

Circuit in St. Louis Drops 4-Hour Shows

ST. LOUIS, March 31.—Fred Wehrenberg and Clarence Kaimann have directed abandonment of the four-hour shows in the 25 neighborhood theatres they operate as a circuit in Greater St. Louis. The policy was started about three weeks ago.

'Elephant' at Belmont

"King of the White Elephant" is scheduled to open Friday evening at the Belmont here.

Coast Luncheon to Honor Fr. Flanagan

HOLLYWOOD, March 31.—Notables of the industry and civic and church dignitaries on Wednesday will honor Bishop James J. Ryan of Omaha and Father Edward J. Flanagan, founder of Boys Town, at a luncheon at the M-G-M studio. A feature of the affair will be a coast-to-coast broadcast over NBC. A preview of "Men of Boys Town" will follow.

'Boys Town' Showing At Lewistown, Pa.

LEWISTOWN, Pa., March 31.—M-G-M will hold a special trade screening of "Men of Boys Town" at the Rialto here next Sunday afternoon for exhibitors east of Altoona, Pa., and west of Harrisburg, embracing the Philadelphia and Pittsburgh exchange territories. A buffet luncheon will follow. Paul O. Klingler, Rialto manager, is in charge of arrangements with Charles Baron, M-G-M exploitation representative.

Helena Houses Aid Hellas

HELENA, Mont., March 31.—About $500 will be turned over to the Greek War Relief Fund as a result of a midnight show at the Marlow here on Saturday and collections at the Marlow and Rio last week.

TNEC Report To Congress; Films Hit Again

WASHINGTON, March 31.—The Temporary National Economic Committee today submitted its final report to Congress but made only recommendations which it had previously disclosed would be included.

There were no references in the report to the motion picture industry, which was not among those investigated, although a member of the staff issued a monograph which contained another assault on the film industry.

The committee recommended legislation to make corporation directors and officers responsible for the misdeeds of their companies, the granting of authority to the Federal Trade Commission to prevent mergers of competing corporations unless the public interest would be served, the compulsory licensing of patents, and expansion of anti-trust activities by the F. T. C. and the Department of Justice.

Without comment, the monograph, prepared by Clair Wilcox, professor of economics at Swarthmore College, outlined practices of the film industry as set forth in Department of Justice bills of complaint and of the broadcasting industry as depicted in the FCC monopoly committee's preliminary report on chain broadcasting as examples of how industries dominate their fields by practices which put smaller competitors at a disadvantage.

Hits Blocking Booking

"Producers of motion pictures, by compelling exhibitors to book their films in blocks, have thus profited at the expense of competitors whose operations were narrower in scope," it was declared. In the case of broadcasting, NBC and CBS were held up as examples of how large concerns have "attempted to exclude their smaller rivals from the market by imposing upon distributors contracts forbidding them to handle goods produced by other firms." Eastman Kodak Co. also was cited as resorting to such practices.

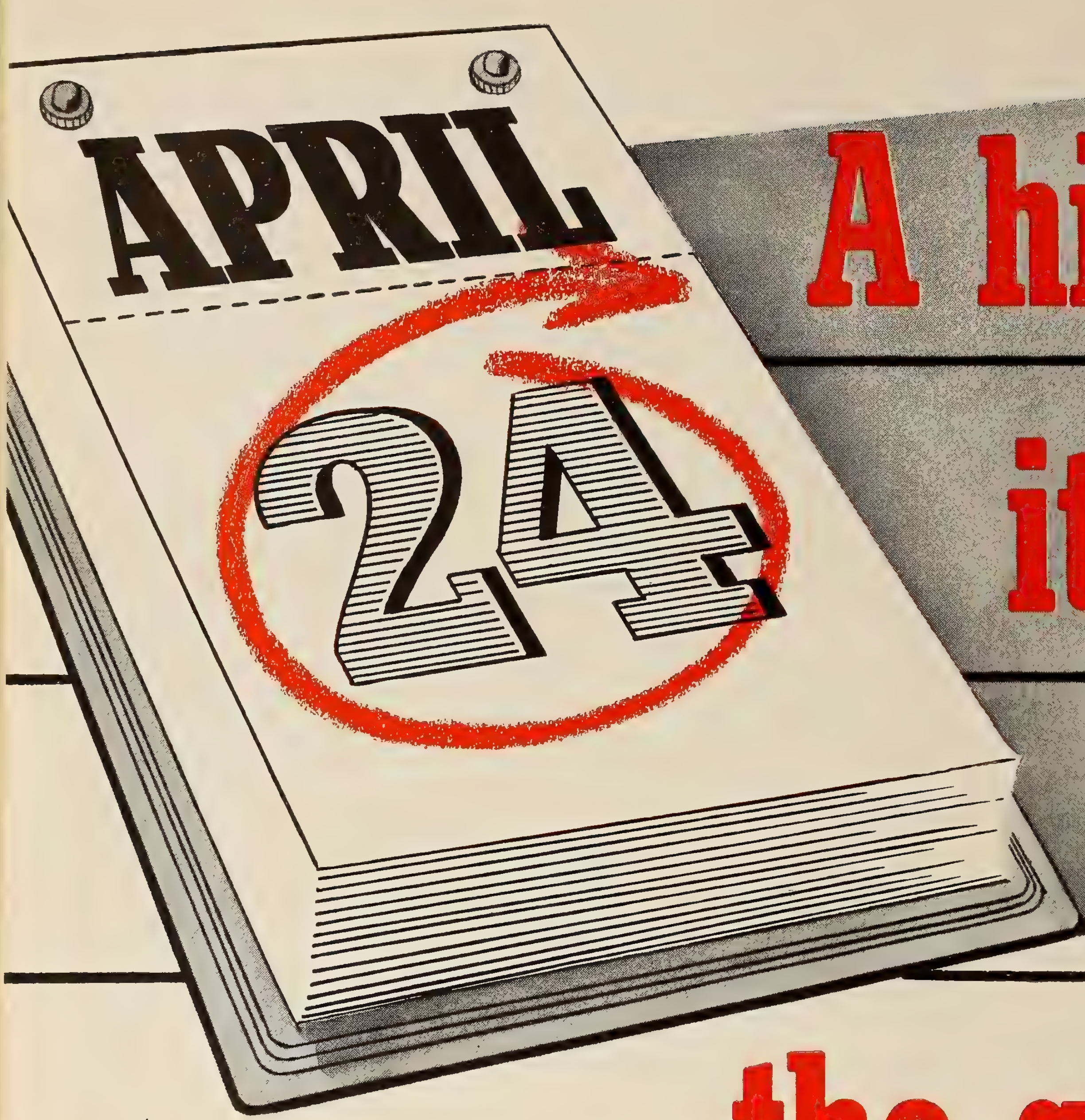
Considerable attention was devoted in the monograph to practices of American Telephone & Telegraph Co. in exploiting its patents, with reference to its radio and sound patents, based on the findings of the FCC's telephone investigation, as an example of firms approaching "complete" monopoly.

Hays on TNEC Report

The annual report of Will H. Hays, president of the M. P. P. D. A., yesterday referred to the recent TNEC monograph on the film industry, pointing out that it was written "without any hearing or submission on the part of the producers, distributors or exhibitors." Hays described the TNEC report as "so keen about the forest that it overlooks the trees."

On 20th-Fox Assignments

Ed Solomon of the 20th Century-Fox publicity staff is on assignment in Chicago. George Fraser of the department is working in Kansas City.



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COLUMBIA PICTURES

$34,000,000 In Britain By November

Hope of reopening the British monetary agreement for the release of a part or all of the industry's blocked currency in London, which by next November, he said, will amount to an estimated $34,000,000, was voiced by Will H. Hays, M.P.P.D.A. president, at the annual meeting of the organization's board of directors yesterday.

Hays was reelected president for his 20th year. Carl E. Milliken was reelected secretary, and George Borthwick was elected treasurer and a member of the board, replacing Frederick L. Herron, who is on leave of absence for military service. F. W. DuVall was elected assistant treasurer, succeeding Borthwick.

Reopening of the monetary agreement is provided for in the agreement itself, and may be requested by the companies "at any time." Unblocking of the currency, however, rests with the British Treasury and Control Committee which, in acting upon the companies' request, "will take into consideration any improvement in the foreign exchange position of the United Kingdom."

In his report to the meeting, Hays stated that the freeing of blocked currencies in Britain "is a problem which understanding and good will must solve, now that (Britain's) exchange problem has been ameliorated by our national policy of all-out aid to Britain."

'Wings', 'Girl', 'Wolf' Lead B'way Films

(Continued from page 1)

the film is expected to garner about $17,000, reported S.R.O.

"Nice Girl?" with Charlie Barnet's orchestra on the stage brought the Paramount about $21,000 Saturday and Sunday and is expected to complete its first week tonight with an estimated $50,000. It will be held.

"The Sea Wolf" at the Strand with Charlie Spivak's band on the stage did an estimated $19,800 Friday, Saturday and Sunday. The show is in a second week and will be held a third, doing better than expectations.

"Meet John Doe," playing two theatres, was good for about $17,000 Thursday through Sunday at the Rivoli. During the same period at the Hollywood, it grossed an estimated $7,000. The film will be held over at the Rivoli and will bow out of the Hollywood tonight.

"Pot o' Gold" goes into the Roxy Thursday replacing "That Night in Rio," which, with a stage show, grossed about $15,000 Saturday and Sunday. "That Hamilton Woman" opens at the Music Hall Thursday, following "Adam Had Four Sons." The latter with a stage show gave the house about $50,000 Thursday through Sunday.

Ruth Hussey to Col.

HOLLYWOOD, March 31.—Columbia has borrowed Ruth Hussey from M-G-M for the lead in "Our Wife," John M. Stahl's first for the studio.

Screen Is Vital Element in Defense, Declares Hays

(Continued from page 1)

amounted to $905,000 for recognized "drives," exclusive of the work for Greek War Relief in which it is now engaged and in addition to other cooperation with various campaigns.

Commenting on the role of the motion picture in national defense, Hays asserts: "If the movies supply nothing but relaxation, in the emergency that faces us today, ours would still be an essential industry—vitally essential in maintaining public health under the present nervous strains, vitally essential for the rest and recreation that must keep our human machinery up to the needs of speedy and increasing production, and essential also for our mental health.

"But the function of entertainment in a period such as this is even greater than recreation. Our pictures . . . aid invaluably in maintaining national morale, both in the armed services and within the ranks of the vast body of civilian workers."

For these tasks, Hays asserts, "we have the organization, the machinery, the will and the means to maintain our public responsibility from the social as well as the artistic standpoint."

In overcoming its major problems of 1940, Hays says, the industry has learned that its entertainment public is as big as good pictures can make it.

Suggesting the possibility that Hollywood may engage in some production phases in South America in the interests of continental solidarity, the Hays' report states that: "There is a vast background of beauty and interest in the Continent to the south of us, against which background entertainment features may be made."

The report refers to 80,000,000 weekly theatre-goers, considerably higher than the 65,000,000 suggested by polls made last year, and to "more than 16,000 theatres in the United States" in operation, a figure also above recent independent estimates.

Western and action pictures, comprising 22 per cent of those reviewed under the Production Code, continue to account for the largest classification of productions, the report says.

Charities to which the industry gave sizeable contributions last year included the American Red Cross and Allied Relief, the Community Chest of Greater Los Angeles, the Motion Picture Relief Fund and, currently, the Greek War Relief.

In addition, Hays cites Hollywood's cooperation with the Government in training Signal Corps officers in motion picture methods.

Discussing the work of the Production Code Administration, Hays reported that it approved 523 pictures last year, compared with 584 the previous year. Films in the "social category" decreased in number last year, as well as those in the "crime and horror" classification. Original screen stories provided almost 62 per cent of the 1940 film releases.

The Advertising Advisory Council, Hays reported, rejected or had revised 324 advertisements out of the 1940 total of 11,256 submitted, which was about double the number rejected or revised in 1939. The Hollywood office discarded or revised 1,196 stills of 95,090 submitted.

He reported an increase in the number of schools using films, with the total now at more than 5,000 schools. The contract with schools for the use of non-current short subjects has been extended for three years from June, 1942.

U. S. Victory Would Nullify Pacts: Col.

(Continued from page 1)

fied if the Government won its suit. The Government's failure to name these and other contract holders as defendants is set up by Columbia as a separate defense in the suit.

The answer also cites the Government's Interstate Circuit case as a separate defense, pointing out that the same issues were tried in that action, leaving them *res adjudicata* and rendering the present action unnecessary. A third defense is that the Government's amended complaints against the Little Three in Federal courts at Nashville, Oklahoma City and Buffalo, were filed first and, therefore are a bar to the New York suit.

The Columbia answer states that the company had only six stars and eight feature players under contract when the suit was started and is forced to "borrow" stars continuously. Citing the rising costs of production, the company says it spent $9,683,600 for its 1939-'40 production schedule, and attributed radio competition in part to the need for increased production expenditures. Radio spent $45,000,000 for its artists last year, the answer asserts.

Columbia's answer sets forth that there are more than 5,400 localities with eight or fewer theatres controlled by a single exhibitor and that such local monopolies dictate to distributors, frequently forcing Columbia to accept "harsh and unreasonable terms."

Under such conditions, the answer states, exhibitor boycotts or threats of them against the distributor are not uncommon. Block booking, the answer says, is the result of agreements with exhibitors, and not of "force." Columbia frequently splits its product in situations where there is more than one first run theatre, it states.

The answer enters general denials of other Government allegations and asks for dismissal of the case.

St. Cloud Corporation Acquires Highbridge

St. Cloud Amusement Corp. (Sloan & Smith) of Washington, N. J., has taken a long-term lease on the Highbridge, Highbridge, N. J., from George W. Leonard. The theatre is the 17th acquired by the circuit. Berk & Krumgold, theatre realtors, negotiated the lease.

Exhibitor Wins Split Decision On Clearance

(Continued from page 1)

is entitled to its present clearance but that the Forrest and Gwynn, more comparable to the Walbrook, did not merit the clearance enjoyed by [illegible] Ambassador.

The decision appeared to satisfy all concerned and there were no indications that an appeal would be taken. Testimony at the hearing filled 770 pages of stenographic record.

The next arbitration hearing scheduled for the local board is that of the Westway Theatre, Baltimore, against 20th Century-Fox, Loew's and Warners, on April 15.

Detroit Hearing Adjourned to April 19

DETROIT, March 31.—After a four-hour session on Saturday, Detroit's first arbitration hearing, by the Midtown Theatre against Paramount, Warners, 20th Century-Fox, Loew's and RKO, was adjourned to April 19 to give attorneys for both sides an opportunity to file briefs.

Julius D. London, operator of the Midtown, is complainant in the clearance and run case, which names the Coliseum, Majestic and Globe Theatres. Should L. J. Carey, arbitrator, be satisfied with the briefs, he will decide the case without further hearings. Otherwise, they will be resumed April 19.

Attorneys representing the respondent companies were Irving Cohen, Paramount; F. J. Downey, Loew's; J. F. Sharkey, RKO; F. E. North, Warners, and Percy Heiliger, 20th Century-Fox.

38 Complaints At 17 Boards

A Denver complaint received at American Arbitration Association headquarters in New York yesterday brought to 38 the total of complaints filed with the local boards in the first two months of operation of the industry's arbitration machinery. These cases were filed with 17 boards. Fourteen local boards have received no complaint.

The Denver complaint was brought by the Star Theatre, Ft. Lupton, Colo., E. K. Menagh, owner, and charges the Rex, Brighton, Colo., with withholding prints of the consenting companies. Entitled to play day-and-date with the Rex, the complaint states, the Star does not receive its prints until a week after the Rex.

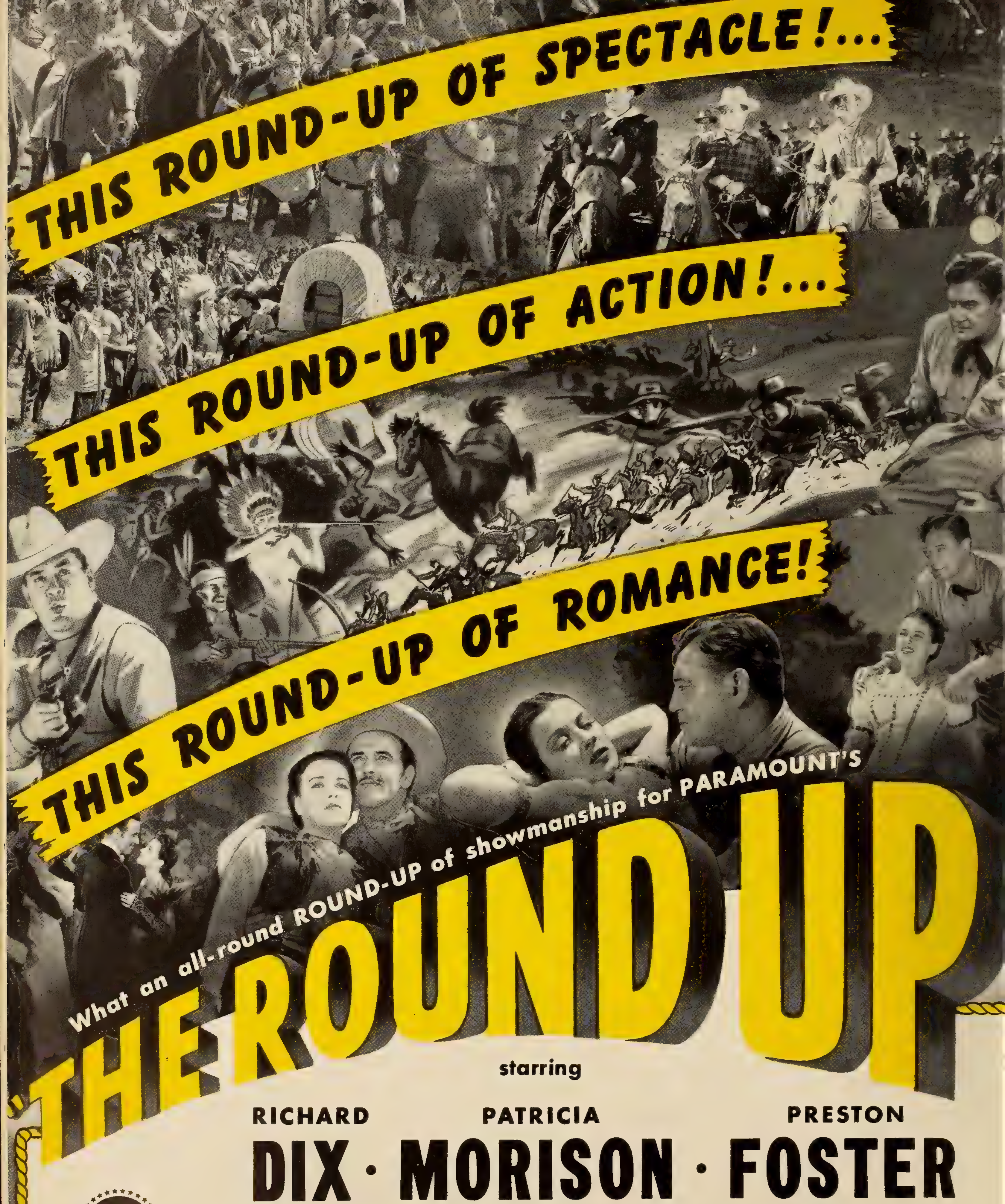
Nova Scotia Breaks Admissions Record

HALIFAX, N. S., March 31.—All previous records for volume of paid amusement admissions for any year were broken in 1940 in the province of Nova Scotia.

The total number was 8,079,958, showing an increase of 1,517,713 over 1939. The board of censors reported collections from theatre and exchange fees at $234,247, involving an increase of $46,608 over 1939. During 1940, the number of pictures screened by the board was 1,899, totaling 5,500,000 feet of film.

A ROUND-UP OF THE PERFECT CAST for...

RICHARD DIX
PATRICIA MORISON
PRESTON FOSTER
DON WILSON
(Jack Benny's famous announcer)



THIS ROUND-UP OF SPECTACLE!...

THIS ROUND-UP OF ACTION!...

THIS ROUND-UP OF ROMANCE!

What an all-round ROUND-UP of showmanship for PARAMOUNT'S

"THE ROUND UP"

starring

RICHARD DIX · PATRICIA MORISON · PRESTON FOSTER

with **Betty Brewer · Don Wilson · Ruth Donnelly · Jerome Cowan Douglass Dumbrille** · Directed by Lesley Selander · Screen Play by Harold Shumate Based on the Play by Edmund Day · A HARRY SHERMAN Production

Paramount Pictures

Stuart and Powers Going to Australia

(*Continued from page* 1)

tions in Australia. He returned several months ago.

Stuart formerly was general manager of RKO Theatres. According to the *International Motion Picture Almanac,* he was born in Franklin, Ky., July 17, 1893. He did newspaper work and handled publicity for circuits, [illegible] he became general manager of [illegible]sey Theatres, and division manager for Paramount Theatres in Texas, Oklahoma and Arkansas. He was general manager for the Fox Poli Theatres and division manager for Fox New England Theatres. He joined RKO in 1933 as theatre general manager. In 1934-5 he was director of advertising and publicity for Columbia. In 1939 he joined Fox West Coast in Salt Lake City.

Report IA Suspends Membership Control

EAST ST. LOUIS, Ill., March 31.—The I. A. T. S. E. has suspended the local operators' union's constitutional control over membership, it is reported, and Clyde A. Weston, onetime business agent of Local 143 in St. Louis has received a membership card. Weston is reported working part time in a Collinsville, Ill., theatre. He is at liberty on bond pending appeal from a sentence of five years and $10,000 fine imposed in Federal district court on charges of violating the anti-racketeering act.

Warners' Ad Sales Campaign Next Week

Warners has set Ad Sales Week for the period from April 6 to 12, inclusive, in conjunction with the "20th Year for Sears" sales drive, which started last December and will end April 19. Branch managers, salesmen and bookers will cooperate with ad salesmen in the drive.

M-G-M Team Champs

The M-G-M basketball team has finished the second consecutive season undefeated and is again champion of the Motion Picture League. The team has won all 41 games played. It defeated National Screen Service 45 to 34 Saturday night at the Riverside Plaza Hotel.

File in Bankruptcy

SACRAMENTO, Cal., March 31.—Charles and Hazel Holze, owner-operators of the California Theatre, have filed a voluntary petition in bankruptcy. Holze formerly managed various houses of the Joe Blumenfeld Circuit, before opening the California, a neighborhood house.

Lightman House Burns

LITTLE ROCK, March 31.—The Joy Theatre at Smackover, Ark., a 600-seat house owned by M. A. Lightman's operating company, Malco, Inc., was destroyed by fire last weekend. The fire occurred in the early morning and no one was injured.

Seiter Due Tomorrow

William Seiter, who directed "Nice Girl?" for Universal, arrives from the Coast tomorrow with his wife, Marion Nixon.

W.B. Had 5,027 at Work In Week on 19 New Films

Hollywood, March 31

WARNERS celebrated a red letter period last week when 5,027 workers were engaged in shooting eight and preparing 11 features, breaking a previous record of 4,874. The breakdown revealed 4,300 employes on general and mechanical staffs, 88 stars and featured players under contract, 24 outside players on one-picture deals, 465 extras, and 150 players and workers on location at the San Diego Naval Base for "Dive Bomber."

Warner operation for the next three months is scheduled to continue at the same pace, with a full program of short subject production being planned. The studio commissary is operating on four luncheon shifts, with staggering of companies' disbanding times.

• •

Warners will produce a feature based on the life and songs of George M. Cohan, titled "Yankee Doodle Dandy." James Cagney will play the lead. Cohan will come to Hollywood shortly to confer on production plans, and will act as production supervisor.

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WILLIAM DIETERLE's second production for RKO release will be "The Band Played On," story with a musical background by VALENTINE DAVIES. . . . Columbia has signed SLAPSIE MAXIE ROSENBLOOM for "Harvard, Here I Come.". . . FRANCES GIFFORD has been loaned by Paramount to Republic for the title role in the serial, "Jungle Girl," which H. S. BROWN, JR., will produce and WILLIAM WHITNEY and JACK ENGLISH direct. . . . HEDDA HOPPER joins the Aldrich Family cast at Paramount. . . . JACK TEAGARDEN and his orchestra will appear in Paramount's "Birth of the Blues," in which BING CROSBY, MARY MARTIN, EDDIE "ROCHESTER" ANDERSON and CAROLYN LEE will appear. VICTOR SCHERTZINGER will direct.

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"Interlude" has been selected by Stephen-Lang as the title for the sixth of the Dr. Christian pictures RKO will release . . . . Among pictures Paramount has lined up for DOROTHY LAMOUR is "The King and Queen of the Jungle," with a jungle and circus background. . . . EDWARD SMALL has given a term contract to ILONA MASSEY whose first for him will be "G-Man Versus Scotland Yard.". . . JED BUELL has signed CAROL HUGHES for the feminine lead of "Emergency Landing," which WILLIAM BEAUDINE will direct for Producers Releasing Corp.

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Paramount has announced plans to film "Santa Anita," story to be based on "Getaway Day," by Sidney M. Biddell and Frederick Frank. The entire action takes place in the course of a single day, and ending with the close of the eighth race, a la "Grand Hotel." . . . Another high budget picture there will be "The Lady in Pursuit," being shaped for Bob Hope and Madeleine Carroll. It is an original story by Kenneth Earl and Curtis Kenyon. . . . Warners has renewed the writing contract of Richard Macaulay. . . . That studio also bought two novels by Eric Ambler, "Coffin for Dmitrios" and "Background of Danger."

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PAUL JONES, producer of "Road to Zanzibar," "The Great McGinty," "The Lady Eve" and "Christmas in July" at Paramount, has been given a seven-year optional contract by that studio. . . . Universal has set TOM BROWN and PEGGY MORAN to play the romantic leads in "Hello, Sucker," HUGH HERBERT vehicle. . . . RALPH DIETRICH and WALTER MOROSCO, who co-produced six pictures at 20th Century-Fox, will head their own units following completion of their next two films.

• •

Because of her performance in Paramount's "I Wanted Wings," VERONICA LAKE will be starred in her second picture, "China Pass," JACQUES THIERY's story of the modern war-torn Orient. ARTHUR HORNBLOW, JR., will produce. . . . LEW LANDERS will direct Columbia's "I Was A Prisoner on Devil's Island," which WALLACE MACDONALD will produce. . . . GILBERT ROLAND and EDWARD NORRIS have been signed for Republic's "Angels with Broken Wings," joining LENI LYNN, JANE FRAZEE, MARY LEE, LOIS RANSON and MARILYN HARE. BERNARD VORHAUS will direct the ALBERT J. COHEN production. . . . WILLIAM H. PINE and WILLIAM C. THOMAS of Producers Corp. of America, releasing through Paramount, have taken an option on a story by J. G. "TEX" RANKIN, noted stunt pilot. The title is "Wings of Courage."

• •

Cliff Nazarro will be "yes, yes man" to John Barrymore, cast as an eccentric film director in Paramount's "World Premiere.". . . Emmett Lynn draws a featured role in Columbia's "Texas," starring William Holden. . . . Republic has extended the contract of Weaver Brothers and Elviry, holding them for three more pictures.

Lillian Hellman Play Opens Here Tonight

"The Watch on the Rhine," a new play by Lillian Hellman, opens tonight at the Martin Beck Theatre. The cast includes Lucille Watson, Paul Lukas, Mady Christians, George Coulouris and John Lodge. Herman Shumlin is the producer.

IT'S THE GREAT LAUGH PICK-UP
JUDY CANOVA
SIS HOPKINS
BOB CROSBY
AND HIS BAND WITH THE BOBCATS
CHARLES BUTTERWORTH
JERRY COLONNA
SUSAN HAYWARD
KATHARINE ALEXANDER
AND AN ALL-STAR CAST
JOSEPH SANTLEY
Director
Screen Play by
JACK TOWNLEY, MILT GROSS
and EDWARD ELISCU
Original Story by
F. McGREW WILLIS
A REPUBLIC PICTURE
IT'S A SUPER-COMEDY WITH MUSIC!

CBS 1940 Net $5,006,633, Paley Reports

CBS earned a net profit of $5,006,633, or $2.91 per share, for the year ended Dec. 28, as compared with $5,001,528 for 1939, William S. Paley, president, reported to stockholders yesterday. The final figure exceeded by approximately $200,000 the preliminary estimate made in February. This is the largest net income thus far reported by the company.

William Paley

Gross income increased $8,066,670 over 1939 for a total of $50,912,063, and profits before provision for Federal income and excess profits tax were $7,431,633, an increase of $1,302,947. However, provisions for these two types of taxes totaled $2,425,000, more than twice the 1939 total of $1,127,157. Per share earnings on the 1,716,277 of $2.50 par value stock outstanding were the same for both years.

Net fixed assets increased during the year from $6,179,193 to $7,148,643. Bank loans were reduced from $800,000 to $600,000 during the year. Cash amounted to $7,570,151 on Dec. 28 as compared with $6,318,916 a year before.

However, the ratio of current assets to current liabilities was 2.10 at the end of 1940, compared with 2.39 for 1939. This decrease was due principally to the larger provision for Federal taxes, it was reported.

Additional compensation of $254,504 was paid during 1940 to 150 executives, junior executives and key employes, not including the president.

Of the 10,037 Class A shares subject to option under the executive stock option plan, 6,554 were sold during 1940 and options on 193 were terminated because holders failed to exercise them. The options exercise date on 2,784 shares was extended from March 11, 1941, to March 11, 1942.

Paley in his annual report outlined CBS achievements in programs and technical facilities during the past year. He pointed out that Congress had created a law which prevented Government interference with programs and declared that the American people "contrasting our broadcasting with the enchained, government-dictated emanations of the dictator countries, are sensing freedom of the air as a precious right of the public."

WSAI Increases Power

CINCANNATI, March 31.—WSAI, the smaller of the two local Crosley stations, over the weekend increased its night power from 1,000 to 5,000 watts. The daytime power remains at 5,000 watts.

Off the Antenna

A NUMBER of suggestions that the U. S. Chamber of Commerce at its annual meeting, April 29 to May 1, go on record as favoring the confining of Federal regulation of broadcasting to interference and other problems affecting the listener and excluding the field of private management have been received by Chamber of Commerce officials now engaged in drafting the agenda.

It is recommended that the Chamber adopt a resolution holding that the interest of the listening public is the paramount consideration in regulation, and opposing any regulation which attempts to force upon the public undesired program material, with advocacy of the freedom of station owners to select and edit their own programs.

• • •

Purely Personal: *Robert R. Somerville, formerly with CBS spot sales department, has been promoted to the general sales staff. Somerville's assignment will be to convince sponsors using the network to add extra stations. . . . E. P. H. James, NBC-Blue sales promotion manager, will address the evening class in advertising tonight at C.C.N.Y. Tomorrow evening he will address the Women's Auxiliary of the American Institute of Mining and Metallurgical Engineers. . . . Helen Hiett, NBC foreign correspondent, arrived here yesterday on the* Exeter. *. . . Joseph Hevesi, of Major Bowes' staff, left yesterday for WCAO, Baltimore, to conduct auditions for the program. . . . Bert Gordon will become a permanent member of the Eddie Cantor cast tomorrow evening. . . . WOR has named Alwyn Bach and Len Sterling as announcers for W71NY, its FM station, which goes commercial today.*

• • •

BMI will celebrate its first anniversary today. The company actually was organized on Feb. 15. Today marks the purchase of its first song. BMI thus far has acquired the rights to 250,000 songs, it was said, and 680 stations representing 95 per cent of the total dollar volume of radio business are member-stockholders. Networks own 17.1 per cent of the stock.

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Program News: *Brown & Williamson Tobacco Co. has renewed "Uncle Walter's Doghouse" over 53 NBC-Red stations for 52 weeks effective April 29. Gulf Oil is considering a world news summer roundup as the summer replacement for "Screen Guild Theatre" Sundays over CBS. . . . Coincident with the Broadway opening of the film, "Pot o' Gold," Horace Heidt will begin a series of transcriptions for NBC Thesaurus.*

First S.A. Television Station Is Planned

PHILADELPHIA, March 31.—The first television station to be built in South America will be set up in Buenos Aires by Fernando G. Chavez, owner of the 50,000-watt station LOS in that city, according to a letter from Chavez to his nephew Nick De Francesco, WPEN engineer, which was received here over the weekend.

Philco has sent most of the equipment to Chavez and the transmitter will have 10,000 watts for sight and sound, according to the letter. The site for the studios and transmitter has been selected, Chavez said, and some of the technicians are already on the job although the transmitter itself is not under construction yet.

Providence Games Further Restricted

PROVIDENCE, March 31.—Close on the heels of a drive which reduced the number of chance games here weekly from 39 to 30, the police have imposed new restrictions, limiting single prizes to no more than $100, and the combined prizes for a night's play to no more than $600.

Actor's Rites Today

Funeral services for H. Dudley Hawley, 62, veteran stage actor who died Saturday, will be held at 5 P.M. today at the Cooke Funeral Home, 117 West 72nd St. He appeared in two films, "The American Widow" and "Young Man of Manhattan.

Form Marquee Service

CHICAGO, March 31.—Marquee Services, Inc., has been formed here, with Ernest Wagner of Wagner Sign Service, Inc., as president.

Witmark Is Sued On Song Contract

Suit for $50,000 damages for alleged breach of contract was filed yesterday in N. Y. Supreme Court by B. G. de Sylva and Joseph Meyer against M. Witmark and Sons. Plaintiffs allege that in 1923, as composers of the song "California, Here I Come," they granted the publication rights to Witmark. The complaint charges the defendant with having sold synchronization rights to 20th Century-Fox for the film "Rose of Washington Square" for $150, an allegedly inadequate sum. The damages are sought as a differential between the sale price and what the plaintiffs claim the price ought to have been.

Extras Committee May Be Dropped

HOLLYWOOD, March 31.—The possibility appeared today that the standing committee on extras, as established by the Screen Actors Guild and producers in the bargaining contract, may be eliminated and its work taken over by representatives of the guild and producers. The expense of maintaining the committee is seen as the chief reason for the desire of both the guild and producers to abolish it.

Helena Theatre on Air

HELENA, Mont., March 31.—The Marlow Theatre here has started stage broadcasts starring Nora L. Whittinghill and a band, the only theatre in Montana with that type of show. The programs go over KPFE at 3 P.M. Sundays.

Acquires Kansas House

HOWARD, Kan., March 31.—Crump Taylor has taken over the Plaza here from A. J. Simmons.

Ascap to Elect Under Decree In Two Weeks

The Ascap membership will be authorized to elect 11 members of the society's board of 24 directors at the annual meeting of the organization to be held here in abou[illegible] weeks.

The election is the first in which the general membership ever has participated, and marks a voluntary application by the society of the Federal consent decree in advance of its effective date.

While the decree specifies that Ascap directors, in the future, must be elected by the membership instead of by the board itself, as formerly, the decree does not become operative until next June 4.

The 11 directors whose terms will be declared to have expired will be disclosed on completion of the changes in Ascap's by-laws, which are now being made for compliance with the decree. Date for the membership meeting will be announced at the same time, since it was deferred from the usual March date to await completion of the by-laws.

It was learned, however, that six of the 11 directors whose terms will be up will be publisher members of the board and five will be writer members. Hereafter, Ascap members will elect two publisher and two writer members to the board annually.

The Ascap radio committee yesterday completed its first formula for a per-program contract for networks and is scheduled to arrange a meeting with the National Association of Broadcasters for submission of the formula as soon as it has been finally approved by the society.

If the formula proves to be of sufficient interest to N. A. B. to warrant negotiations, Ascap will not prepare a blanket licensing formula for network consideration unless requested to do so.

It is reported that the per-program formula will return less money to Ascap than it has received from radio heretofore. However, actual cost to radio might be as much as formerly due to charges for the separate licensing and checking involved, which it would be required to bear if it elects to take the per-program license.

No advance estimate of the revenue involved in such a contract is possible, since it would depend entirely upon the amount of music used by the stations during the term of the contract. Presumably, the stations buying music on this basis would use no more Ascap music than they felt to be absolutely necessary for their programs.

Sponsor SPG Exhibit

The Screen Publicists Guild is lining up film players and directors interested in art to sponsor its art exhibition at the Barbizon-Plaza Gallery, April 20 to 30. Those already announced as sponsors are John Barrymore, Douglas Fairbanks, Jr., Norman McLeod, Edward G. Robinson, Josef von Sternberg and Roland Young.

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 49. NO. 64 NEW YORK, U.S.A., WEDNESDAY, APRIL 2, 1941 TEN CENTS

Censorship Planned Only In War Time

Not Contemplated Now, Mellett Tells Senators

WASHINGTON, April 1.—The only kind of Federal censorship that is contemplated is "military censorship," to be imposed in time of war, but otherwise the Administration has no thought of censoring radio or any other form of communication.

This assertion was given a Senate committee here today by Lowell Mellett, director of the Office of Government Reports. Capital observers expressed the belief that Mellett's categorical denial regarding censorship prior to war applies to motion pictures as well.

President Roosevelt has no intention of establishing censorship over broadcasting or the press, Mellett said.

"I do not believe in censorship," he told the Senators, "and it happens that I know I reflect the opinion of the President. The only sort of censorship that is contemplated would be in time of war and would be what

(*Continued on page* 6)

Boston Variety Club Chapter Is Inducted

BOSTON, April 1.—A local chapter of the Variety Club was inducted here last night at an impressive ceremony at the Hotel Statler, attended by about 200 New England showmen. The local unit is Tent No. 23.

John H. Harris of Harris Amusement Co., Pittsburgh, national Variety Club chief barker, and R. J. O'Donnell of Dallas, national assistant chief barker, presided at the ceremonies. The local club is headed by Martin J. Mullin, chief barker.

Technicolor Sued Over Color Patent

A patent suit was filed yesterday in the U. S. District Court here by Percy Douglas Brewster against Technicolor, Inc., and Technicolor Motion Picture Corp. for $100,000 damages and an injunction. Defendants are charged with manufacturing and selling a product which infringes upon the plaintiff's patent for a "method and apparatus for color cinematography."

Commons Defeats Sunday Show Bill

London, April 1. — The House of Commons today defeated by a vote of 144 to 136 a motion to liberalize the Sunday opening laws to permit amusements other than films to operate on a tax-free basis and to facilitate Sunday operating procedure for film houses. Film theatres have been permitted to operate Sunday under certain conditions.

SPG Asks Majors To Discuss Terms

The Screen Publicists Guild of New York has sent letters to the heads of seven of the eight major companies asking for immediate collective bargaining for the five categories of home office publicists conceded by the companies at the recent hearings at the regional National Labor Relations Board office to be within the bargaining unit. The request was not made to Warners, which made no concessions.

Oral argument will be heard tomorrow in Washington on the guild's petition to be named collective bargaining agency for home office publicists employed by the eight majors. The guild will be represented by Joseph Gould, president, and Hyman Glickstein, guild counsel.

Para. Completes Realignment for Decree Selling

Paramount yesterday completed its distribution department realignment with the appointment by Neil F. Agnew, vice-president in charge of distribution, of Thomas Dowbiggin, veteran Montreal salesman, as manager of the Montreal branch.

Dowbiggin succeeds M. A. Brown, who recently was appointed district manager with headquarters in Denver. The realignments, which were begun last January, were to prepare the distribution department for selling under the Federal consent decree.

It was also announced yesterday that Ted Mendenhall has been appointed special representative for the Paramount short subjects sales department in the district including Kansas City, St. Louis and Des Moines. Thomas McKean has been assigned in a similar capacity to the Dallas, Oklahoma City and Memphis territory.

These appointments were made by Oscar A. Morgan, short subjects sales manager. Mendenhall formerly was Omaha branch manager and McKean was a salesman in Oklahoma City.

James Moran, who handled publicity for the Fred Waring band for two years and until last week conducted the "Prof. Briggs and Slo-Gro" show over WHOM, will join Paramount on Monday as field exploitation representative in the Washington, D. C., district.

Hollywood Correspondents Demand Earlier Previews

HOLLYWOOD, April 1.—Douglas Churchill, chairman of the newly created informal organization of top-flight Hollywood correspondents, today arranged a meeting with studio publicity directors and Jock Lawrence, assistant to Y. Frank Freeman, Association of M. P. Producers president, to discuss a different system of previewing films here.

This is the first matter taken up by the leading critics and columnists, some of whom have charged a threatened censorship of studio news. The organization was formed to represent them in presenting problems to the studios.

One of the principal grievances is that films are sometimes shown here immediately before their New York opening or after the New York preview, and the newspapermen claim this creates difficulties for correspond-

(*Continued on page* 4)

Coast Actors' Strike Results in Contract

HOLLYWOOD, April 1.—A strike of actors at work on a short subject today brought quick results. The Screen Actors Guild yesterday called out its members from a local radio station where a short was being made with Jimmy Fidler as the narrator. Today the Guild announced signing a contract with the company, Sunshine Productions, Inc., of New York.

Warners Purchase 'The Corn Is Green'

HOLLYWOOD, April 1.—Warners have purchased the film rights to "The Corn Is Green," Emlyn Williams' play now on Broadway, starring Ethel Barrymore, it was announced today. Bette Davis may be starred in it.

Circuits Not Aim of Early Arbitration

Fewest Complaints Filed In Affiliated Areas

Strongholds of the affiliated circuits throughout the country show the fewest number of arbitration complaints at the end of the first two months' operation of the industry's arbitration system, according to records to date, it was revealed by a survey completed yesterday.

Not a complaint was filed in the Pacific Coast area, stronghold of National Theatres' Fox West Coast circuit, from Feb. 1, when the arbitration boards were opened, to April 1. The area includes boards in Portland, Seattle, San Francisco and Los Angeles.

In the Rocky Mountain area, also a National Theatres' stronghold, no complaints have been filed with the Salt Lake City board and only two in Denver. One of the latter names a National Theatres' house. Salt Lake City is also a Paramount theatre stronghold.

In Cincinnati, where RKO is dominant, not a single complaint has been filed. Throughout the South, where Paramount's affiliates predominate, comparatively few complaints have been brought and none of those on file names an affiliated theatre.

No complaints have been filed with the Atlanta board, where the Lucas & Jenkins, E. J. Sparks, S. A. Lynch and other Paramount circuits are dominant; none is on file with the Charlotte board, where the Wilby-Kincey

(*Continued on page* 4)

Producers, Directors Decide to Negotiate

HOLLYWOOD, April 1.—At the producers' request, the conciliation procedure on the Screen Directors Guild demands for concessions was temporarily abandoned today in favor of negotiations which are scheduled to start this week. Among the issues involved is the Guild's demand for minimum salary scales.

The Guild has named George Stevens, Frank Capra, Phil Rosen, George Marshall, Lesley Selander and Felix Feist as its representatives. Y. Frank Freeman, Association of M. P. Producers president, will appoint the producer representatives on his return here Thursday from the East.

Providence Censor Would Ban 'Moko'

Providence, April 1.—Captain George W. Cowan, local police censor, declared today in response to an exhibitor query that he would ban the French film, "Pepe le Moko," because it was placed on the condemned list by the National Legion of Decency. Local stage and screen censorship was praised last night by City Councilman James L. Cahill at a banquet.

MPPDA to Review 'Outlaw' on Appeal

"The Outlaw," Howard Hughes' new production, will be screened for the MPPDA board of directors on an appeal from the refusal of the Production Code Administration in Hollywood to issue a production code seal for the picture in its present form.

The screening will take place today or tomorrow, depending upon the availability of a print. The Hollywood PCA's refusal to issue a seal reportedly followed the producer's refusal to delete certain shots of Jane Russell, new Hughes "discovery."

The MPPDA board is the court of appeal from final rulings of the PCA. This is the first appeal to be carried to the board in recent years.

Barsky Joins Small

HOLLYWOOD, April 1.—Bud Barsky has been added to Edward Small's production staff.

Personal Mention

WILLIAM GELL, managing director of Pathe Films of London, and NORTON RITCHEY, Monogram foreign manager, will leave for the Coast today to attend the Monogram sales convention opening there Friday.

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J. CHEEVER COWDIN, Universal board chairman, returned from Toronto yesterday.

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JACOB FOX, operator of the New Hill Theatre, Philadelphia, is vacationing in Canada.

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J. B. FISHMAN, New Haven exhibitor, is due this week from Miami.

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HARRY GOLD, HAL HORNE, IRVING BERLIN, EDWARD PESKAY, JOSEPH PINCUS and MARTIN MOSKOWITZ having lunch yesterday at Lindy's (51st St.).

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MAURICE FREEMAN, LOU WEINBERG, RUBE JACKTER, IRVIN SHAPIRO, OSCAR DOOB, ERNEST EMERLING, AL MARGOLIES, EMANUEL SILVERSTONE, A-MIKE VOGEL, HARRY KOSINER, MORRIS HELPRIN, CLARENCE EISEMAN and SEYMOUR POE at Lindy's (next to the Rivoli) yesterday for lunch.

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KATHERINE REINHARD of the Colonial, Allentown, Pa., and BERNARD SIMON, formerly of that theatre, have become engaged.

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THOMAS P. BRINZO, assistant manager at the Shawnee Theatre, Plymouth, Pa., has been drafted.

NAT HOLT, RKO theatre division manager, left for Cleveland last night after a visit at the home office.

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SAMUEL GOLDSTEIN, vice-president of Western Massachusetts Theatres, Inc., Springfield, Mass., is the father of a son, born on Sunday at Western Maternity Hospital, Springfield.

•

AL RICHARD, JOSEPH LEE, CHARLES SONIN, MOSS HART, AL LEWIS, JACK KIRKLAND, MARCUS HEIMAN, LEE SHUBERT, GUY BOLTON, ARTHUR LOEW, MORT SPRING, CHARLIE BARNET, LIONEL STANDER, DAVE BLUM, A. L. BERMAN, LESTER FULLER, WILLIAM MELNIKER, JOSEPH ROSTHAL and HENRY KRECKE having lunch at Sardi's yesterday.

•

JAMES MULVEY, LOU BRECHER, TOM ROCKWELL, LESTER HAMMEL, JAMES CANNON, NED DEPINET, SAM SHAIN, ANDY SMITH, BOB MOCHRIE, BETTY GOLDSMITH, MIRIAM HOWELL, BEN WASHER, L. E. THOMPSON, DAVID GRIESDORF and WILLIAM MERRILL at Toots Shor's for lunch yesterday.

•

CHARLES E. MCCARTHY, M. A. SCHLESINGER, MAURICE BERGMAN, TOBY GRUEN, ARTHUR MAYER, EDMUND C. GRAINGER, JOHN W. HICKS and GEORGE SKOURAS lunching yesterday at Nick's Hunting Room in the Astor.

•

HERBERT YATES, WILLIAM BARNETT, EDWARD MCEVOY, LOU POLLOCK, WILLIAM FERGUSON and CAL SWANSON at the Tavern yesterday for lunch.

•

SAMUEL TANNENBAUM, owner of the Palace, Atlantic City, is on a Southern cruise.

•

DALE E. WOODRUFF, assistant manager of the Rialto, Allentown, Pa., recently drafted, and FRANCES A. LONG were married last week.

Mrs. Rosenzweig Dies

Mrs. Esther Rosenzweig, 70, mother of Charles Rosenzweig, former industry sales executive, died yesterday. Funeral services will be held tomorrow at Park West Memorial Chapel. She is survived also by two other sons and three daughters.

Newsreel Parade

THE U. S. seizure of alien ships along the Eastern seaboard makes an outstanding newsreel subject. War items from Britain and U. S. defense receive attention. Lighter news matter includes a "little sister" contest at the New York Boys' Club and the Golden Gloves bouts in Chicago. The contents:

MOVIETONE NEWS, No. 59—Seizure of foreign ships. England: Field guns ready for invasion; Island fortress prepares; steel hats for civilians; Buckingham Palace hit by bomb; Americans in the R. A. F. "Kid sister" contest at New York Boys' Club. Golden Gloves in Chicago. Ice carnival in New York.

NEWS OF THE DAY, No. 257—U. S. seizes Axis boats. Britons stand guard. Yugoslavian crisis. News photos exhibited in New York. Strikes impede defense production. New York Boys' Club has "little sister" contest. Navy football team limbers up. Florida alligators tamed.

PARAMOUNT NEWS, No. 62—Football at Annapolis. Soldiers in Washington play baseball wearing gas masks. Yachting at New Orleans. Ice show in New York. Anti-aircraft balloon in Washington. Press photographers' show in New York. U. S. seizes alien ships. Air raid destruction in Glasgow.

RKO PATHE NEWS, No. 62—U. S. takes over foreign ships. Roosevelt returns from fishing trip. Glasgow after an air raid. King George and Queen Elizabeth at Scotland shipyard. "Bundles for Britain" arrive in London. "Little sister" show in New York. Press cameramen's exhibit in New York. New York ice show. Golden Gloves bouts in Chicago.

UNIVERSAL NEWSREEL, No. 967—U. S. seizes Axis ships. New government in Belgrade. Work resumes at Bethlehem steel plant and Harvester factories. Glasgow digs out after an air raid. Roosevelt ends his vacation. New merchant ship launched in California. New York Boys' Club holds "little sister" contest. Alligators tamed in Florida. Ice show in New York. Hunt Cup horse race in England.

Nelson Painting Is At Music Hall Today

Gertrude Lawrence at 1 o'clock today will unveil the original Gainsborough painting of Lord Nelson at the Radio City Music Hall. It is scheduled to remain on display at the theatre during the run of "That Hamilton Woman," United Artists-Korda film which will open there tomorrow. Barker Bros. of Los Angeles, owners of the painting, have authorized offering it for auction to benefit British charity.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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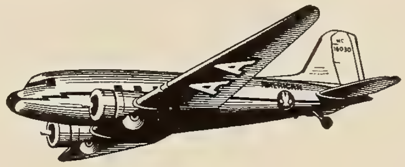

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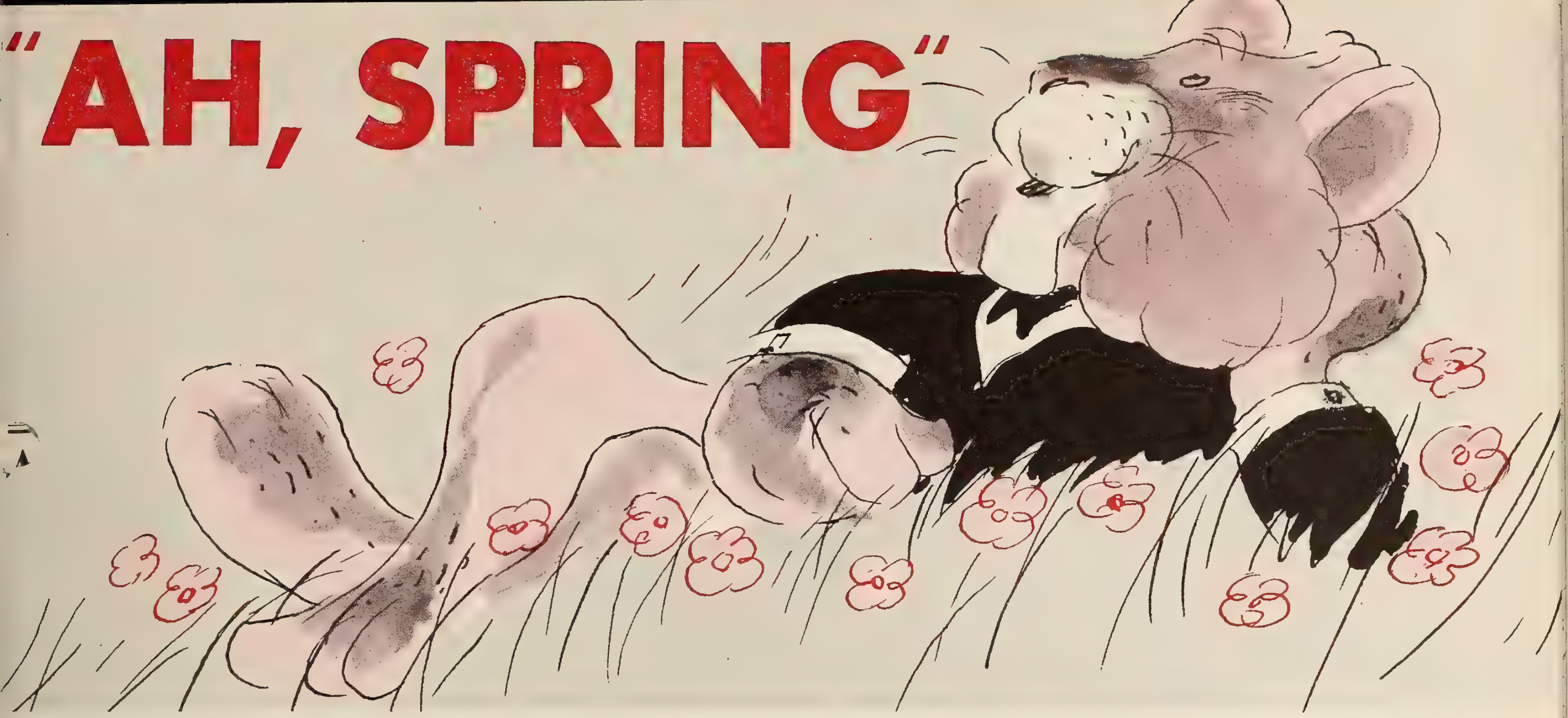


And here's the great news to help you enjoy this happy season. A theatre man just back from Hollywood gives eye-witness, projection room reports on 6 great M-G-M productions for coming weeks!

"MEN OF BOYS TOWN"

Spencer Tracy and Mickey Rooney are headed for record grosses in this sequel that tops the original "Boys Town". It's got more heart-throbs, more thrills than the first one. Money in the bank!

"ZIEGFELD GIRL"

The biggest screenful this industry ever saw. Beyond belief till you see it with your own eyes. James Stewart, Judy Garland, Hedy Lamarr, Lana Turner and many others. For the big dough!

"LOVE CRAZY"

Bill Powell and Myrna Loy in the kind of show you ask for in your prayers The funniest in their entire career. When you can get hysterical in a cold projection room, you know it's in the bag!

"A WOMAN'S FACE"

A prediction made after a projection-room screening of Joan Crawford, Melvyn Douglas and a big cast in "A Woman's Face." "IT WILL BE ONE OF THE YEAR'S TEN BEST!" You'll hear a lot about it from now on. A thrilling masterpiece of the screen is on the way to fame and fortune!

"BILLY, THE KID"

An eyeful! And in Technicolor! An epic western that moves like lightning. Hats off to Robert Taylor for another big-time performance. Not since "Northwest Passage" has such a fortune been poured into an outdoor production. A Big One in every way!

"BLOSSOMS IN THE DUST"

Powerful human document filmed in Technicolor, starring Greer Garson and Walter Pidgeon. Its power comes from the fact that it's a true story of a woman's fight to give a name to unwanted children. A woman's picture that will pack 'em in!

Circuits Not Aim of Early Arbitration

(Continued from page 1)

circuit holds forth, and none has been filed in Memphis, where the Malco circuit, also a Paramount affiliate, centers.

Three cases, all alike and all brought by the same operator of a drive-in theatre, are on file in New Orleans and the Paramount-E. V. Richards circuit is not named in any of them.

Seven complaints have been filed in New York, where one affiliated theatre has been named. In Chicago, most important distribution area after New York, two complaints are on file, and neither names Paramount's B. & K. Theatres. No cases have been brought in Omaha or Des Moines, centers of the Paramount-A. H. Blank operations.

In Dallas, one case is on file, by a drive-in theatre, naming an Interstate Circuit house.

No complaints are of record in New Haven or Kansas City, important circuit operations. One case is on file in Pittsburgh and one in Philadelphia, strong Warner Theatres' areas, and neither complaint names that circuit.

A total of 38 cases were filed at 17 boards during the first two months. New York is first with seven cases, and Boston, Minneapolis, New Orleans and Washington, follow with three each. The other 12 boards have either one or two complaints on file. No complaints have been filed in 14 boards.

Three complaints have been settled or withdrawn without hearings. Seven hearings have been held and four decisions made. Two decisions were in favor of plaintiffs, one a split decision in the plaintiff's favor, and one case was dismissed for lack of jurisdiction. The latter, in Chicago, is the only case scheduled for appeal.

Film Correspondents Want Early Previews

(Continued from page 1)

ents with early publication deadlines.

While the 18 writers present at the organization meeting yesterday are pledged to secrecy regarding the conversations which took place, it was learned that several took the attitude that definite attempts were being made to regulate the press.

The general complaint, however, was about the previewing of pictures here so close to openings that publications often review films after many readers have already seen them.

Churchill today said that the group was formed to bring the correspondents' problems to the industry, and that "we are not against anybody; we are for ourselves."

Two Companies Formed

ALBANY, April 1. — Two new companies chartered here are: Bertram Willoughby Pictures, Inc., by Everett J. Schenk, R. G. Braunstein and M. McL. Dougherty, and Dahl Amusement Corp., Brooklyn, by Aaron Weiss, David and Leah Rosen.

Feature Review

"Horror Island"

(Universal)

HERE is run-of-the-mine melodrama which has a few moments of genuine excitement in a setting of deserted island, haunted castle, supposed buried treasure and assorted phantoms, but it never quite succeeds in being real.

Thrown in for good measure there are at least three murders, a touch of romance and a sprinkling of comedy. Dick Foran has the leading role, assisted by Leo Carrillo, Fuzzy Knight, Peggy Moran, Lewis Howard and Walter Catlett. George Waggner directed, with Ben Pivar as associate producer.

The yarn concerns Foran's attempt to popularize a deserted island he has inherited, by running a treasure-hunting party. A real search of treasure developed with several unknowns going after it in their own way and strewing corpses about them as they go. The matter is eventually cleared up to the general satisfaction of the remaining players.

Running time, 60 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

Hays and Miggins Testify for Schenck

Will H. Hays, president of the M.P.P.D.A., yesterday lauded the reputation of Joseph M. Schenck "for honesty, integrity and square shooting," when called as a witness in the Government trial against Schenck and Joseph H. Moskowitz. Schenck has always cooperated with him in advancing the artistic, moral and educational value of motion pictures, Hays declared.

Schenck did much to further the business of 20th Century-Fox in Europe, Benjamin Miggins, Continental manager of the company, told the court. Miggins related that Schenck went to Paris in 1936 with Sidney R. Kent, president of the company, and Walter Hutchinson, foreign manager, to address a company convention and to sign Gracie Fields and Monty Banks.

In 1937, Miggins said, Schenck again visited Europe, where he reviewed the entire situation and obtained a first run house for the company in Paris. Miggins' testimony was offered by the defense to prove that Schenck's trips were essentially for business and not for pleasure. Gene Fowler, writer, testified for Moskowitz.

Seek License Fee Cuts in Cincinnati

CINCINNATI, April 1.—A substantial reduction in theatre license fees is asked by the Greater Cincinnati Independent Exhibitors Association in a resolution presented to J. C. Brennan, Clerk of Council, by Saul M. Greenberg, legal counsel for the association.

Greenberg pointed out that theatres in Columbus are not charged license fees, and that the fee in Youngstown ranges only between $40 and $100, according to the size of the house, whereas Cincinnati theatres are charged $100 annually where seating capacity is less than 300, while houses seating more than 300 are required to pay $100 for the first 300 seats, and $50 for each additional 100 seats.

Milland in 'Wind'

HOLLYWOOD, April 1.—Ray Milland has been assigned one of the leading roles in C. B. DeMille's production for Paramount, "Reap the Wild Wind."

Pizor and Segall in Phila. Litigation

PHILADELPHIA, April 1.—Lewen Pizor, prominent local exhibitor, today filed an action in Common Pleas court here against his partner, Charles Segall, charging him with defrauding the partnership and their joint theatre corporations.

The action also names Louis Segall, a son, and Katharine Segall Sablosky, a daughter, and Eastern Theatres, Inc., and Boro Theatres, Inc. Hearing has been set for April 7 before Judge Louis E. Levinthal on a motion to appoint a receiver to handle the affairs of the theatre companies.

Previously, Segall had entered a judgment in the same court against Pizor for $55,124 on alleged default of a lease on the Apollo Theatre for four months' rent. The house is owned by Charles and Louis Segall, who leased it to the Segall-Pizor partnership, which includes four theatres.

Union Is Negotiating With St. Louis MPTO

ST. LOUIS, April 1. — Negotiations are under way between the Theatrical Employes' Union, Local B-2 (ushers, cashiers, doormen and cleaners), and a committee representing the MPTO of St. Louis. The union picketed four small neighborhood houses, but when the association assigned a committee to negotiate, the pickets were withdrawn.

A five-year contract is the principal point under discussion. Louis K. Ansell, chairman of the MPTO committee, says a five-year contract was offered tentatively, providing for the same wages as at present for the first two years and increases beginning the third and fourth years. About 500 employes in 100 houses are involved.

Comerford Champions

SCRANTON, Pa., April 1.—The Comerford Theatre basketball team here won the circuit's basketball league title by defeating the Capitol Theatre team. The Wilkes-Barre Orpheum Theatre bowling team won the divisional bowling league title.

Plan British Benefit

ALBANY, April 1.—Managers of the local exchanges plan a Bundles for Britain dance at the DeWitt Clinton Hotel on April 19.

'Road' Takes $42,000, Best Loop Gross

CHICAGO, April 1. — "Tobacco Road" with a stage show at the Chicago Theatre drew a strong $42,000. At the Oriental, "Blackout," plus a stage show featuring Gy[illegible] Rose Lee scored $23,000. "Ho[illegible]moon for Three" and a stage show at the State-Lake took $18,000.

Estimated receipts for the week ending March 28:

"Fantasia" (Disney)
APOLLO—(1,400) (75c-$1.10-$1.65) 7 days, 5th week. Gross: $9,500. (Average, $6,500)

"Tobacco Road" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Variety Show. Gross: $42,000. (Average, $32,000)

"Go West" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $8,500. (Average, $5,000)

"Blackout" (20th-Fox)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Gypsy Rose Lee and New Orleans Unit. Gross: $23,000. (Average, $13,000)

"Mr. and Mrs. Smith" (RKO)
"Vivacious Lady" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days. Gross: $15,000. (Average, $13,000)

"Gone With the Wind" (M-G-M)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days, 4th week. Gross: $11,000. (Average, $11,000)

"Honeymoon for Three" (W. B.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Joe Venuti Orchestra and Henry Armetta. Gross: $18,000. (Average, $15,000)

"Cheers for Miss Bishop" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $10,000. (Average, $14,000)

Fleitman Joins PRC As Fromkess' Aide

R. George Fleitman, at one time chief accounting officer for Fox Theatres Corp., has joined Producers Releasing Corp. as assistant to Leon Fromkess, vice-president.

Fleitman in 1939 was appointed special investigator in the New York State Moreland Commission probe of printing contracts.

Producers has closed with William J. Gell, managing director of Pathe Pictures, Ltd., London, for release of its product in Great Britain for the next six seasons.

Move Minneapolis Office

MINNEAPOLIS, April 1.—Charles Weiner, Producers Releasing Corp. franchise holder here, is scheduled to move into new quarters at 1109 Currie Ave. today.

'U' Short Subjects Contest Under Way

An Easter short subjects contest is in progress in the Universal exchanges, with three prizes to be awarded in each district, according to Bernard Kreisler, short subjects sales manager. Salesmen are competing against a quota for each office. The contest closes April 19. Kreisler left yesterday for a tour of Midwestern branches.

Attorney Drops Fee Suit

A stipulation discontinuing the $250,000 damage suit of David Stoneman against Stephen A. Lynch was filed yesterday in the N. Y. Supreme Court. The plaintiff, a Boston attorney, sued for fees allegedly due him for services rendered Lynch, a former director of Paramount Pictures, during the company's reorganization.

N ITSELF – IT'S A DOUBLE BARRELED BILL OF SUPER ENTERTAINMENT

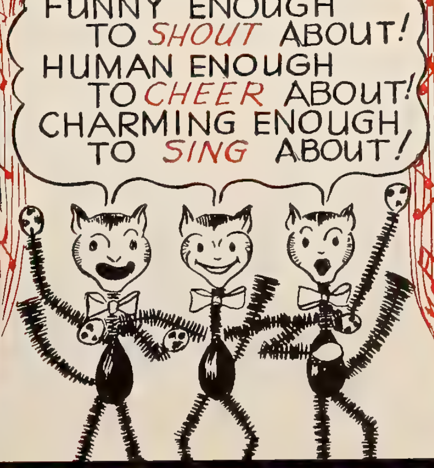
Sis Hopkins

JUDY CANOVA
BOB CROSBY
AND HIS BAND OF BOBCATS
CHARLES BUTTERWORTH
JERRY COLONNA
SUSAN HAYWARD
KATHARINE ALEXANDER
ELVIA ALLMAN — CAROL ADAMS
LYNN MERRICK — MARY AINSLEE

Directed by
JOSEPH
SANTLEY

Original Story by
F. McGREW WILLIS

Screenplay by JACK TOWNLEY
MILT GROSS, EDW. ELISCU


FUNNY ENOUGH TO SHOUT ABOUT!
HUMAN ENOUGH TO CHEER ABOUT!
CHARMING ENOUGH TO SING ABOUT!

A Republic PICTURE

WNEW to Broadcast Dodger Night Games

WNEW yesterday received exclusive rights for broadcasts of all Brooklyn Dodger night baseball games, with General Mills and Lever Bros. as joint sponsors. WOR has the daytime games. Red Barber and Al Helfer, who handle the play-by-play and between-inning commentary for WOR, will also be at the microphone for WNEW. Eleven night games are on the schedule and the contract provides that WNEW must remain on the air with a description of the game until it is ended. WOR, after considerable trouble with this provision last year, obtained a modification this season. Although most of the night games will start at 9 P.M. EST, the St. Louis game will not start until 11 P.M. EST and will probably last well into the "Milkman's Matinee."

Development Post At NBC to Shelby

Robert E. Shelby, supervisor of NBC television activities, yesterday was named development engineer by O. B. Hanson, vice-president and chief engineer. George M. Nixon, member of the development group, was promoted to assistant development engineer. Shelby will be in charge of all equipment development for the network but will continue with his television duties. He succeeded W. A. R. Brown, who joined the RCA central frequency bureau.

After making the appointments, Hanson left for San Francisco for a two-week study of the construction of new NBC studios there.

CBS School of Air Advisory Unit Set

Preparations for the organization of an international advisory committee for the CBS "School of the Air" were completed yesterday by Sterling Fisher, director of education, in Washington. Fisher will return today.

Fisher conferred with Government officials about the network's cooperation in the drive for the sale of U.S. defense certificates. The first broadcast in the drive will be over CBS Saturday, April 26, during the "Report to the Nation" series.

Hartford Riled Over Kenny Baker Rebuff

HARTFORD, Conn., April 1.—Local theatre managers are reported to have complained over the refusal of Kenny Baker to sing at the Greek war benefit program at the Loew Poli Theatre last Saturday night. Baker's refusal followed pleas by several managers. He completed a three-day appearance at the State on Sunday night.

Sports Show to Open

PITTSBURGH, April 1.—New competition for theatres will begin April 14, when the city's first Sportsmen's Show opens a 10-day run at The Gardens. Promoter is the Harris Amusement Co., which also operates nine theatres in the city.

Off the Antenna

TIME sales on W71NY, WOR's FM station which started commercial operation yesterday, will be handled by the regular WOR sales staff, it was disclosed yesterday. Rate cards will be issued in a few weeks, it was said, and advertisers will be approached on the basis of the station's "class appeal."

Charles Godwin, manager of W71NY, has arranged three recorded programs to be broadcast daily. They are "Symphonic Cycle," 8-9 A.M.; "Luncheon Concert," 1-2 P.M., and "Slumbertime Music," a half-hour in the late evening. An effort will be made to avoid duplicating WOR programs, although the classical music programs of the standard station, Alfred Wallenstein's "Symphonic Strings," his "Sinfonietta," "Russell Bennett's Notebook" and Morton Gould's half-hour show, will be carried. Raymond Gram Swing's nightly commentary also will be broadcast over FM but the commercials will be eliminated. For the most part, however, W71NY will rely on specially arranged programs and those broadcast by Mutual but not carried in New York by WOR.

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Purely Personal: *Morton Downey, Wally Butterworth and Parks Johnson will be guests on "Duffy's Tavern" over CBS Saturday. . . . Welbourn Kelly, who writes the scripts for "Chamber Music Society of Lower Basin Street" has been assigned the script job for "New American Music" over NBC-Blue. Ronald MacDougall will write the script for the NBC Army Day show. . . . Lillian Corsover, director of promotion and publicity of women's programs for WMCA, will be married today to Sol Zatt. . . . Lois Frost, formerly secretary and office manager of Virgil Reiter Co., WMCA Midwest representatives, will join the station April 14 as contract manager. . . . Eddie Cantor will substitute for Noel Coward on "Campbell Playhouse" over CBS Friday. Coward received an emergency call to return to London. . . . Adelaide Erwin, Rochester, department store radio speaker, and Harry LeBrun, WHEC, Rochester, announcer, were married Saturday. . . . Virginia Lynn, Philco television director, is the subject of an article in the current issue of* American Magazine.

• • •

Cecil Brown, CBS news commentator, who was ordered to leave Rome by the Italian Government on Monday because of a "continued hostile attitude" has been transferred to Belgrade, CBS officials revealed yesterday. Brown's permit had been revoked once before because of difficulties with the Italian authorities but he succeeded in obtaining a temporary one. Mrs. Brown arrived in New York Monday on the "Exeter."

• • •

Mutual announced changes in its affiliates yesterday. WFCI, Pawtucket, R. I., is scheduled to join the network Saturday, when it will start operations. WFCI will be heard on 1,420 k.c. with 1,000 watts, full time. It is owned by Frank Crook, Inc., and will be affiliated with two regional New England webs, the Yankee and Colonial. Mutual stated that another affiliate, KYAN, Cheyenne, Wyo., ceased operation last Saturday. WALB, Albany, Ga., which was due to go on the air last Saturday and join Mutual at the same time, has postponed its start to April 15 because of delays in delivery of transmitter equipment.

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Program News: *"Gold is Where You Find It" will start as a sustaining program Saturday over CBS at 10:30 A.M. Listeners will request unusual objects and if any member of the radio audience can supply them, CBS will pay for them. . . . Axton Fisher Tobacco Co. will sponsor two shows over Mutual, starting June 2. On Mondays, a musical program with Mary Small will be heard, and "Danger is My Business" will be heard Wednesdays. Both will be aired 10:15-10:30 P.M. over 17 stations for 26 weeks. . . . General Mills has renewed "Jack Armstrong" over NBC-Red for an additional five weeks, effective April 28. . . . "Bundles for Britain Backstage" with Constance Collier as "hostess" will be heard Saturdays 12:45-1 P.M. over WHN beginning April 5. . . . Beginning April 9, WMCA will air a half-hour dramatized program, "Doctors for Defense," Wednesdays at 10 P.M. Dodge Automobiles and Pall Mall Cigarettes have signed for spot announcements over WOR.*

AGVA and AFM Sign Pittsburgh Contract

PITTSBURGH, April 1.—The American Federation of Musicians and the American Guild of Variety Artists locals here have concluded an agreement which brings about a closed shop for all places using stage shows in Pittsburgh. Under the arrangement, agents have been advised that acts must carry cards from the AGVA or musicians will not play, and AFM musicians may appear only with AGVA acts.

Heidt to Appear at Roxy

Horace Heidt will appear at the Roxy tomorrow at 9 P.M. in connection with the opening of "Pot o' Gold," in which he and his orchestra are featured.

WOR Shifts Whiteside

Arthur Whiteside, WOR assistant production manager, has been promoted to daytime studio manager, succeeding Charles Godwin who has become the manager of W2XOR, FM outlet. Carl Warren will be night studio manager. Eugene King has joined the announcing staff and Bernice Whitman has been shifted to the FM program staff.

Drops Suit Against RKO

Infringement suit of Olga Linek Scholl Russ against RKO was discontinued yesterday in the U. S. District Court here. The suit had sought $250,000 damages, claiming that the film, "I Dream Too Much," infringed the plaintiff's scenario, "Long Live Love."

Agents File Protest On Albany Measure

ALBANY, April 1.—The Artists Representatives Association has filed formal protest with the Rules Committee and the Ways and Means Committee of the New York State Assembly against the pending Ostertag bill, which would impose restrictions of artists' agents.

The measure would take the ope[illegible] tion of the agencies from the juri[illegible] tion of the general labor law and place it under the labor law. It would double the present $25 license fee and limit commissions to five per cent, among other restrictions. Observers believe there is little likelihood of passage, since the measure must first come out of both committees, be passed by the Assembly and then go to the Senate. The legislature is scheduled to adjourn tomorrow evening.

Exclude Film Houses From Admission Bill

ALBANY, April 1.—Assemblyman Irwin Davidson has amended his measure on admission to theatres to exclude motion picture houses. The bill now applies to legitimate theatres and all other types of amusement places. Under the bill, theatres must admit persons over 21 who present tickets a reasonable time before the performance, and prohibits ejection from places of public amusement unless the patron is guilty of a breach of the peace. The bill is due for a vote tomorrow.

The Burrows' anti-discrimination measure was put over today until Thursday, adjournment day. The likelihood of the enactment of any outdoor advertising bill this session is believed slight.

Ticket Broker Amendment

Senator Frederic Coudert today filed a bill to amend the ticket broker measure of 1940 which limits the resale price to 75 cents above the established price. The new measure merely gives brokers the right to return tickets for credit or redemption when they are not sold.

Censorship Planned Only in War Time

(*Continued from page 1*)

is known as military censorship."

Military censorship would look to the prevention of disclosure of information deemed confidential by the authorities, among other things.

Mellett appeared before the committee to explain proposed legislation to provide an appropriation of $1,500,000 for his office, heretofore financed by emergency relief funds.

Plan Vaudeville in N. H.

NEW HAVEN, April 1.—With the completion of the ice hockey season, the 5,500-seat Arena starts weekly Sunday vaudeville next Sunday. The first will feature Barry Wood, Bea Wain and Mark Warnow.

Flower Show Competes

SEATTLE, April 1.—Local amusement places suffered their worst nontheatrical competition in many months here this week when the National Flower Show opened a week's engagement at the Civic Auditorium.

First Award of
THE PEABODY MEDAL

presented to the

COLUMBIA BROADCASTING SYSTEM

For Outstanding Meritorious Public Service

AWARDED BY THE UNIVERSITY OF GEORGIA FOR CONSPICUOUS SERVICE IN RADIO BROADCASTING
ET DOCERE ET RERVM EXQVIRERE CAVSAS
CONSTITUTION
WIS DOM
JUSTICE
MODER ATION

"... for regarding its schedule as a curriculum for adults and children ... for covering adequately the significant news of the year ... for promoting Pan-American unity and understanding through its *School of the Air* ... for aiding education with special school-room services and such programs as *Invitation to Learning, The Human Adventure, Report to the Nation, The People's Platform* and *Columbia's Country Journal* ... for giving religion a major place in its public service activities ... and for its manifold and continuous interest in serious music and other cultural subjects."

Naturally we're proud that CBS is the first network to be honored by the University of Georgia with the George Foster Peabody Award — radio's own "Pulitzer Prize"—for "outstanding meritorious public service." We are especially happy that this award comes to CBS for its complete program structure—a harmoniously integrated unit designed in the interests of the American people.

Columbia Broadcasting System

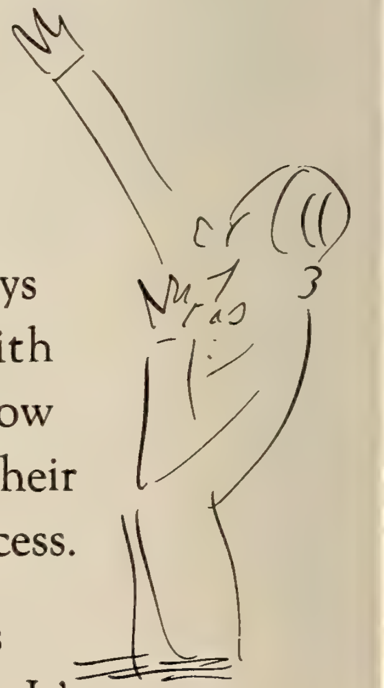
Press Time Line-up of the Big Show!
And More To Come!

Louis Prima and his new orchestra featuring Lily-Ann-Carol, Connie Klaff, Jack Powers, Frank Federico, "The Original Six" — Graham McNamee, Andre Baruch, Ed Sullivan, Bill Slater, Diosa Costello, Victoria Cordova, Hazel Scott, Golden Gate Quartet, Ezra Stone, Doodles Weaver, Arthur Treacher, Bea Wain, Raymond Massey, Danny Kaye, Lyle Talbot, Pert & Gay—WHN Jewish Hour, Carol Bruce, The Martins, Willie Howard, Lucy Munroe and Patricia Carroll.

"HEY MISTER BIG SHOT!"

We all hear a lot these days about industry unity — that "*one big, happy family*" stuff!

Do you mean it?



The advertising and publicity men of the industry, who are always eager to cooperate with other folks' activities, now invite *you* to help make their Annual Party a big success.

Every executive in this business should attend. It's going to be a gala reunion and a real inter-industry affair. Dinner, dancing and entertainment. With proceeds to the needy in our ranks.

Friday is Get-high Day! Be there!

AMPA

SILVER JUBILEE, DINNER
DANCE AND ENTERTAINMENT
FRIDAY, APRIL 4th
7:30 P. M. till breath do us part!
GRAND BALL ROOM, HOTEL EDISON, N. Y.
FIVE DOLLARS PER PERSON
Benefit A. M. P. A. Relief Fund

DO NOT REMOVE

Alert,
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to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 65 NEW YORK, U. S. A., THURSDAY, APRIL 3, 1941 TEN CENTS

All Arbitration Board Panels Now Complete

A.A.A. Announces Final Local Appointments

Final appointments to the arbitration panels for the industry's local boards under the Federal consent decree were made yesterday by the American Arbitration Association, thereby completing the arbitration machinery's personnel.

Among other developments yesterday were: second Philadelphia complaint filed; New Orleans arbitrator takes "some run" case under advisement, as press is barred from hearing; M-G-M settles Austin, Tex., drive-in theatre's "some run" complaint.

Meanwhile, hearing of New York's first arbitration complaint, originally scheduled for today, has been postponed until tomorrow. The case is a clearance grievance of the Esquire,

(*Continued on page* 7)

Pathe Film 1940 Net Profit Is $439,416

Net profit of $439,416 was reported for 1940 yesterday by Pathe Film Corp., after Federal income taxes. The net is equal, after dividend requirements on the $7 cumulative convertible preferred stock, to 67 cents per common share.

The 1940 profit compares with a 1939 net of $424,489, equal to 64 cents per common share after taxes and preferred dividend requirements. Du Pont Film Manufacturing Corp., 35 per cent of whose common stock is owned by Pathe Film, reported net profit for 1940 of $1,569,989, after charges and taxes. This compares with net profit of $1,650,274 in 1939. Taxes were considerably higher in 1940 than in 1939, and a contingency reserve of $150,000 also was set up last year.

'Out of Frying Pan' Purchased by Para.

Paramount is reported to have purchased "Out of the Frying Pan," Broadway comedy which is current at the Windsor Theatre. The price is said to be about $40,000. Francis Swann authored the play. The play opened Feb. 10 under sponsorship of Alexander Kirkland and William Deering.

Previews for 'Kane' Planned Next Week

RKO will hold press previews of "Citizen Kane" here and on the Coast early next week. Arrangements for a screening place on Broadway are being made now. Indications are that the company will roadshow the picture, with the Broadway opening at the RKO Palace expected about April 21 or shortly thereafter.

English Trade in Reel Protest Today

London, April 2.—A joint deputation representing the English newsreels and the Cinematograph Exhibitors Association tomorrow will meet Sir Walter Monckton, director general of the Ministry of Information, and executives of the Ministry's Films Division to voice the industry's objections to the propaganda subject released on the recent British sea raid on Lofoten in Norway, which duplicated material already carried in the newsreels.

Francis Harley, 20th Century-Fox chief here, is expected to be the spokesman for the newsreels, and is expected to protest against the Ministry's treatment of the reels.

Chief objection is the retention by

(*Continued on page* 7)

Talks on Again to Buy Fairbanks' U.A. One-Fifth Interest

Hollywood, April 2.—Purchase of the one-fifth interest in United Artists owned by the Douglas Fairbanks estate has again been under discussion recently, it is reported, after several weeks during which no negotiations are known to have been in progress.

Maurice Silverstone, chief executive of United Artists, is mentioned as still interested in acquiring the block from the Fairbanks estate. Earlier talks between Silverstone and the estate administrators were reported to have been stymied by the inability of the principals to place an accurate appraisal on the stock.

Silverstone is expected here from New York on Monday to confer with United Artists producers on the com-

(*Continued on page* 7)

Wis. Act Enforces Ascap License Fee

Milwaukee, April 2. — The Wisconsin Assembly today passed the Cashman bill empowering the secretary of state to enforce a statute which requires Ascap to pay a license fee equivalent to 25 per cent of its gross earnings in the state. The bill previously was passed by the Senate. It now goes to the Governor for his signature.

Bishop J. H. Ryan Praises Industry at Coast Luncheon

Hollywood, April 2.—Bishop James Hugh Ryan of Omaha, guest of honor, with Father Edward J. Flanagan, founder of Boys Town at an M-G-M studio luncheon here today, lauded films, radio and the press for their functions as powerful instruments in the education of the people.

"The cinema has done, particularly in these last few years, a great deal to promote good citizenship, worthy ideals and sound democratic thinking," Bishop Ryan said. "For these really valuable contributions to better national life, we should be and are grateful to the leaders of this great industry."

Louis B. Mayer, vice-president of M-G-M in charge of production, was host at the luncheon. The gathering included about 300 film and radio figures and civic and religious notables.

The guests included Archbishop J.

(*Continued on page* 7)

Neely Divorce Bill Decision Due Soon

Washington, April 2.—Senator Harley M. Kilgore of West Virginia, chairman of the Motion Picture Subcommittee of the Senate Judiciary Committee, today disclosed plans to call his group together within a week or 10 days to decide what to do with the Neely divorce bill.

The sub-committee, set up last week, now is collecting basic information on the film situation through the records of hearings which have been held in the past, the Department of Justice complaints and similar material.

Senator Kilgore said that nothing has yet been done with the Neely bill and that the first question to be settled will be whether hearings are to be held.

Film Men Will See Television On Big Screen

RCA Plans Test of Louis-Simon Fight May 9

David Sarnoff

RCA is planning a special television demonstration on large screen for film and theatre executives on or about May 9, the date of the Joe Louis-Abe Simon pugilistic contest, at the New Yorker Theatre, former legitimate and opera house. It is reported that the fight will be among items which will be televised.

Because the fight is not to be telecast generally and will be exclusive by direct cable to the New Yorker, RCA hopes to emphasize the importance of the demonstration. The program will include a demonstration

(*Continued on page* 12)

Important Decision Given on Plagiarism

A verdict which court observers believe should be of interest to the whole amusement field was handed down yesterday by Justice Bernard Shientag of the N. Y. Supreme Court, when he directed a verdict for the National Broadcasting Co., defendant in a radio plagiarism suit brought by Lodewick Vroom and George W. Butler, involving a program idea concerning the use of understudies. Vroom & Butler sued for $176,000. The trial lasted three days.

Representing NBC at the trial were Bruce Bromley, of the law firm of Cravath, de Gersdorff, Swaine &

(*Continued on page* 12)

In Today's Issue

Reviews of "Pot o' Gold" and "The King of the White Elephant," Page 6. Hollywood review of "The Lady from Cheyenne," Page 7. Short subject reviews, Page 9. Critics' Quotes, Page 10. Key city grosses, Pages 9 and 10.

Britain Has No Plans for Film Ministry

London, April 2.—The British Government does not plan the establishment of a Ministry of Films to assist the picture industry here to reorganize on a sound basis, a Government spokesman declared in the House of Commons today in response to a question.

The spokesman, however, indicated that the whole position of the industry under war conditions is being studied closely by the Government, and promised a Board of Trade statement on the problem shortly.

The Government plans no further action following the defeat in Commons yesterday of the motion to liberalize the Sunday entertainment laws, unless at some future time the public demands it.

Robbins Motion to Move Suit Denied

The motion by Herman Robbins, president of National Screen Service, and other officers of the company and its subsidiaries, for a change of venue of Charles Casanave's suit against them, from the Westchester County Supreme Court to the New York County Supreme Court, where a suit is pending by Robbins and NSS against Casanave, was denied yesterday by Justice Mortimer B. Patterson of the Westchester court at White Plains.

Louis Nizer, of counsel for Robbins, and the other defendants, said Judge Patterson's ruling would be appealed. Still to be decided are motions for consideration of Casanave's suits, which ask of the defendants and their companies a declaratory judgment that his contracts with them are valid.

Pending in New York Supreme Court is the suit by Robbins and Toby Gruen, directors of National Screen Service, against Casanave, as vice-president and general manager of National Screen Accessories, asking an accounting of alleged secret profits made in a stock purchase and manufacturing agreement between NSA and the American Display Co., Inc.

Coast Flashes

Hollywood, April 2

DARRYL F. ZANUCK today began his tenure under the new contract given him last Fall under the terms of which he will remain vice-president in charge of production until April, 1947. Returning from a Sun Valley vacation, he started production on "A Yank in the R.A.F." as the first picture under his new contract. The film is scheduled as the first 1941-'42 release.

•

Gordon Kaye, for two years in Republic's production department, has been made assistant to Albert Cohen, producer, replacing Douglas Yates, son of H. J. Yates, who is joining the Army Signal Corps at Wright Field, Dayton.

Personal Mention

MAURICE SILVERSTONE, United Artists chief executive, will leave for the Coast tomorrow.

•

James Roosevelt is expected from Washington today or tomorrow and is scheduled to leave for the Coast this weekend.

•

Karl Hoblitzelle, head of Interstate Circuit, arrived from Dallas yesterday for Paramount home office conferences. R. J. O'Donnell, general manager of the circuit, arrived early this week.

•

Neil F. Agnew, Gus Eyssell and Sam Shain at the Plaza Grill yesterday for lunch.

•

Max Weisfeldt, short subjects sales supervisor for Columbia, is due Monday from an Atlantic City vacation.

•

Robert Benjamin has returned after a three-week visit on the Coast.

•

Barney Balaban, Robert J. O'Donnell, Milton Kusell, Robert Weitman, William F. Rodgers, Tom Connors, Edmund C. Grainger, Charles E. McCarthy, Joseph Unger, Max A. Cohen, Ralph Austrian, Sam Rinzler and George Skouras lunching yesterday at Nick's Hunting Room in the Astor.

•

Louis Astor, Robert Wolff, Harry Cosman and Irvin Shapiro having lunch yesterday at Lindy's (next to the Rivoli).

GEORGE J. SCHAEFER, RKO president, is scheduled to leave for the Coast tomorrow.

•

Thomas McCabe of United Artists' exploitation staff and Dorothy Lunny of Waterbury, Conn., will be married here Saturday.

•

S. Barret McCormick, RKO advertising and publicity director, arrived from the Coast yesterday.

•

Charles Chaplin, Boris Karloff, Lionel Stander, Harry Brandt, James Mulvey, and Hal Horne at Lindy's (51st St.) for lunch yesterday.

•

Moon Corker, city manager for Lucas and Jenkins theatres in Athens, Ga., will leave next Monday for military service.

•

Marjorie Pendergast of the New Haven United Artists exchange, is recovering from an appendicitis operation at St. Raphael's Hospital.

•

Theodore Haeussler, projectionist at the Paramount in New Haven, is convalescing at his home after several weeks at New Haven Hospital.

•

Jacob Wilk, Louis Phillips, Sidney Phillips, Ray Anderson, Betty Field, Tom Fizdale, Armando, John Golden, John D. Hertz, Jr., and Guy Bolton lunching yesterday at Sardi's.

Meet in Portland On Skouras Drive

Portland, April 2.—Executives and managers of National Theatres' northwest division met here today to formulate plans for the division's part in the Spyros Skouras Showmanship Campaign. Charles P. Skouras of Los Angeles, head of Fox West Coast Theatres, presided.

Also attending from Los Angeles were Mike Rosenberg, Charles Buckley, Thomas Paige and Andrew Krappman. Managers of the Hamrick-Evergreen theatres attended, headed by Frank L. Newman, Sr., president of Evergreen, and Albert J. Finke, local Hamrick-Evergreen general manager.

Cinema Lodge Hears Foreign Events Talk

Maurice Samuel of the foreign staff of the New York *Post* discussed the international situation at an open meeting of the Cinema Lodge of B'nai B'rith last night at the Hotel Astor. Others on the program were Harry Goldberg, Dinah Shore, Ruth Whitley and Rabbi Nathan Perilman. Arthur Israel, Jr., president of the lodge, was in charge of the meeting.

Loew's Pays $1.62½

Loew's, Inc., board of directors yesterday declared a quarterly dividend of $1.62½ cents a share on the $6.50 cumulative preferred stock, payable May 15 to stockholders of record April 29.

Plan Drive Against Games in Kentucky

Frankfort, Ky., April 2.—Assistant Attorney General Jesse K. Lewis has pledged "every assistance possible" in prosecuting lottery cases and offered a suggestion to Beckham A. Robertson, Commonwealth Attorney at Owensboro, Ky., that the move be extended to cover theatre chance games.

"You are the first Commonwealth's Attorney in the state to evidence any interest in the enforcement of the lottery statues since his office has indicated that chance games violate the law of Kentucky," Lewis wrote to Robertson.

Cowdin Flying to 'U's Panama Meeting

J. Cheever Cowdin, Universal board chairman, will leave for Panama by plane tomorrow night to attend the company's Latin American sales meeting which opened at Cristobal yesterday. The meeting, attended also by Nate J. Blumberg, president, and Joseph H. Seidelman, vice-president, will continue through Sunday.

Seldomridge Rites Today

Philadelphia, April 2.—Funeral services will be held tomorrow for Clinton J. Seldomridge, for 30 years a theatre operator here, who died Monday at the age of 69 in Philadelphia General Hospital. He was last associated with the Gem. Three sons and a daughter survive.

Losing No Time

Providence, April 2

GARRY BYRNES, film critic of the Evening Bulletin here, has already broached the idea of holding the world premiere of "Yankee Doodle Dandy," Warner film based on the life of George M. Cohan, in Providence, Cohan's tome town, Byrnes has lost no time since announcement of the pl[illegible] for the production has been made. James Cagney will play the Cohan role.

Schenck Overpaid on Tax, U. S. Court Told

Joseph M. Schenck, 20th Century-Fox chairman of the board, overpaid the Government $55,442 on his income tax even if all Government figures were accepted, Carol F. Hall and Myron A. Fink, accountants, testified yesterday in Schenck's trial in U. S. district court here.

This testimony was brought out by Harold H. Corbin, attorney for Schenck and Joseph H. Moskowitz. The accountants declared that an analysis of the company's books from 1915 to 1937 which they conducted demonstrated that 20th Century-Fox had a deficit of $22,271,754 on Dec. 31, 1937, and that a payment of dividend in that year was out of capital.

Dr. A. H. Giannini, former president of United Artists Corp., testified as a character witness for Schenck. He said Schenck has a reputation "for forthright honesty and outright integrity." Giannini said he had invited Schenck to become a member of the board of the Bank of America because of his sterling qualities.

Mary Pickford Ill, Unable to Testify

Hollywood, April 2.—Taken to St. Vincent's Hospital last night with a kidney ailment, Mary Pickford today issued this statement: "I had expected to go to New York to testify for Joseph Schenck and deeply regret I will be unable to testify personally in his behalf. During the 11 years he was head of United Artists, our company prospered. He is generous, honorable and sympathetic to all who need his support."

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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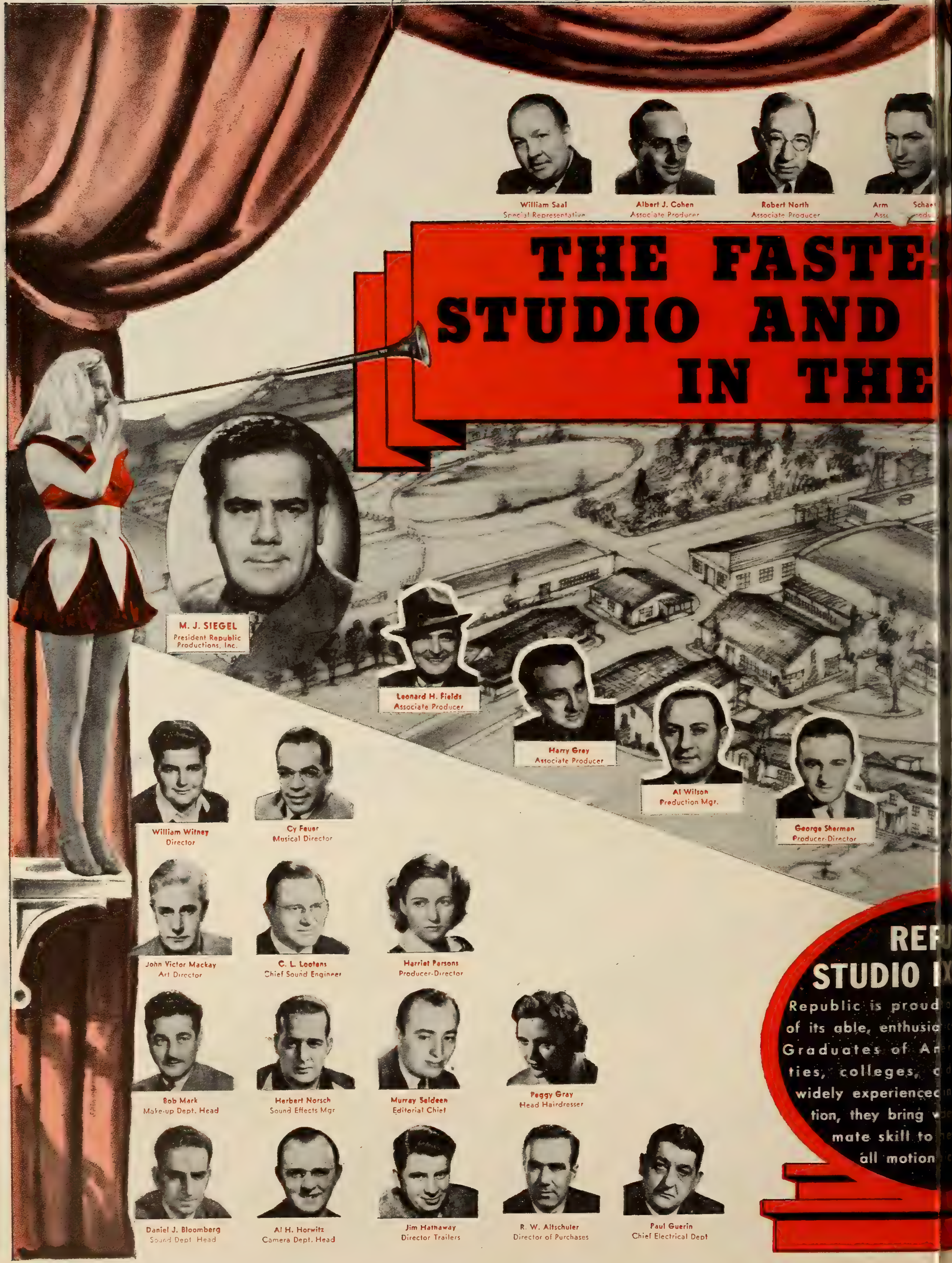
The Great BETTE DAVIS

NEXT WEEK TELLS "The Great LIE"

great, great PICTURE FROM WARNERS!

GEO. BRENT
IARY ASTOR
UCILE WATSON · HATTIE McDANIEL
een Play by Lenore Coffee • From a Novel by
lan Banks • Music by Max Steiner
DMUND GOULDING is Director



William Saal
Special Representative

Albert J. Cohen
Associate Producer

Robert North
Associate Producer

Arm Schae
Ass

THE FASTE
STUDIO AND
IN THE

M. J. SIEGEL
President Republic Productions, Inc.

Leonard H. Fields
Associate Producer

Harry Grey
Associate Producer

Al Wilson
Production Mgr.

George Sherman
Producer-Director

William Witney
Director

Cy Feuer
Musical Director

John Victor Mackay
Art Director

C. L. Lootens
Chief Sound Engineer

Harriet Parsons
Producer-Director

Bob Mark
Make-up Dept. Head

Herbert Norsch
Sound Effects Mgr

Murray Seldeen
Editorial Chief

Peggy Gray
Head Hairdresser

Daniel J. Bloomberg
Sound Dept. Head

Al H. Horwitz
Camera Dept. Head

Jim Hathaway
Director Trailers

R. W. Altschuler
Director of Purchases

Paul Guerin
Chief Electrical Dept

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Republic is proud
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Graduates of A
ties, colleges,
widely experience
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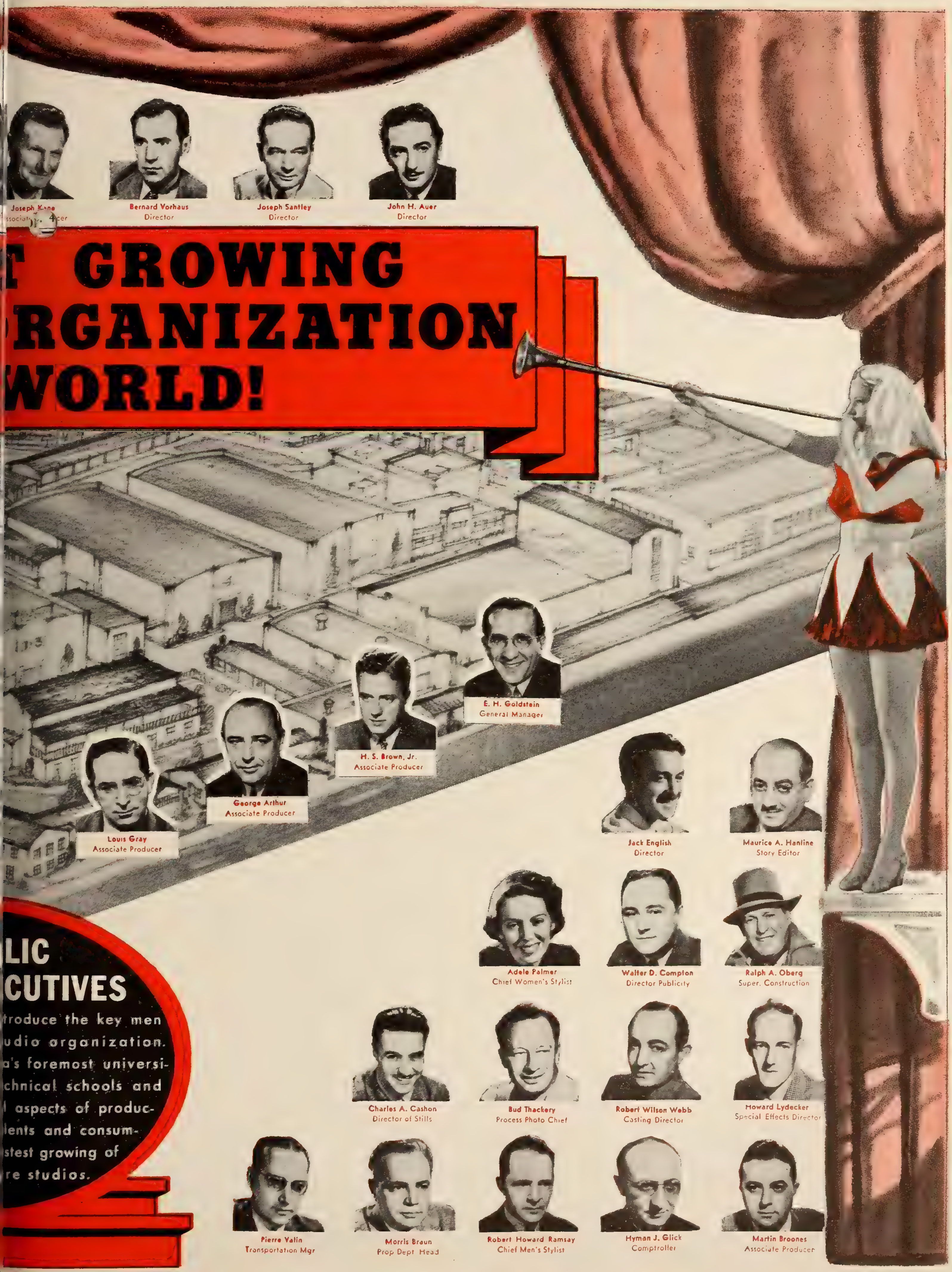
mate skill to
all motion



Joseph Kane
ssociat [illegible] cer

Bernard Vorhaus
Director

Joseph Santley
Director

John H. Auer
Director

T GROWING
RGANIZATION
WORLD!

E. H. Goldstein
General Manager

H. S. Brown, Jr.
Associate Producer

George Arthur
Associate Producer

Louis Gray
Associate Producer

Jack English
Director

Maurice A. Hanline
Story Editor

LIC
CUTIVES

troduce the key men
udio organization.
a's foremost universi-
chnical schools and
l aspects of produc-
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re studios.

Adele Palmer
Chief Women's Stylist

Walter D. Compton
Director Publicity

Ralph A. Oberg
Super. Construction

Charles A. Cashon
Director of Stills

Bud Thackery
Process Photo Chief

Robert Wilson Webb
Casting Director

Howard Lydecker
Special Effects Director

Pierre Valin
Transportation Mgr

Morris Braun
Prop Dept. Head

Robert Howard Ramsay
Chief Men's Stylist

Hyman J. Glick
Comptroller

Martin Broones
Associate Producer

When Is Christmas?

Trenton, N. J., April 2.—As the New Jersey House today adopted a bill designating the last Thursday in November as Thanksgiving Day, the State Senate passed a measure fixing the second Monday in September, rather than the first, as Labor Day. The purpose of the latter is to extend the New Jersey shore resort season by one week.

All Studios to Join Mexican Festival

HOLLYWOOD, April 2.—All major studios will participate in the Motion Picture Festival set for Mexico City April 12-14, the date originally set for the premiere in the Mexican capital of James Roosevelt's United Artists' film, "Pot o' Gold." Each major studio plans to hold the premiere of one big film there.

Y. Frank Freeman, president of the Association of Motion Picture Producers, announced last night the industry has accepted the invitation of President Avila Camacho of Mexico to participate in the film festival.

Whitney to Accompany Group

John Hay Whitney, director of the Motion Picture Division of the office of the United States Coordinator of Commercial and Cultural Relations Between the American Republics, plans to accompany the Hollywood delegation, to be sponsored jointly by the major studios, and is cooperating on plans. Roosevelt will act as one of the committee in charge of arrangements.

Freeman, due here tomorrow from the East, is expected to call a meeting of studio heads immediately to map plans. Robert Vogel, head of the M-G-M studio foreign publicity department and chairman of the studio foreign publicity department directors committee, has been in Mexico City for some time working in an advisory capacity to the Mexican Secretary of the Interior, who is arranging the festival. With Vogel are Irving Rubine of Warners, and Frank Fouce, local exhibitor with Mexican business connections. Studio publicity directors will meet next Tuesday to decide on the newspaper guests and other details.

Herron in Charge of Army's Film Service

WASHINGTON, April 2.—In line with its policy of using reserve officers in positions from which regular Army officers can be relieved for other duties, the War Department has assigned Colonel Frederick L. Herron, former MPPDA treasurer on leave, to take charge of the Army Motion Picture Service, elevating Major T. J. Davis, formerly in charge, to the position as assistant executive officer of the Morale Division, of which the film service is a part.

Department officials said the move was routine, and would not involve any reorganization of the work of supplying motion pictures for exhibition in Army camps and posts. The srvice, however, is rapidly being extended as new cantonments and bases are being brought into operation.

Feature Reviews

"Pot o' Gold"

(Roosevelt-United Artists)

THE ingredients in this first production of James Roosevelt, as far as the box-office recipe is concerned, are as follows:

Horace Heidt and his orchestra, featured in the film, form one of the most popular of America's dance bands. The "Pot o' Gold" program has one of the largest radio listening followings on the air. James Stewart and Paulette Goddard, the stars, have respectively, a recently collected Academy Award for the best performance of 1940, and a recent role in "The Great Dictator" to make their names important marquee material. The picture itself is a fast-stepping, laugh provoking, song-laden concoction, light but highly entertaining screen fare.

If that combination of ingredients in the hands of alert showmen does not mix into a box-office hit across the country, especially among the younger element, then "there ain't no sich animal" as box-office recipes.

The story has Stewart forced out of his small-town music shop to accept his uncle's offer to join him. Charles Winninger is delightful as the food-products millionaire uncle. The latter is feuding with Mary Gordon, whose boarding house next to the factory houses Heidt and his impecunious band, and Miss Goddard, the landlady's daughter. Keeping his identity secret from Miss Goddard, Stewart joins the band, and when Winninger goes on a vacation puts Heidt on Winninger's weak-kneed radio program. To get even, when she learns who Stewart is, Miss Goddard announces on the air a $1,000 weekly prize, and the "Pot o' Gold" idea is born, resulting in success for the program, the end of the feud, and the expected consummation of the romance.

Stewart adds another feather to his cap with his performance, and Miss Goddard matches him. The film is studded with a handful of tuneful and "singable" song numbers, notably "A Knife, A Fork and A Spoon," "When Johnny Toots His Horn," "Broadway Caballero" and "Do You Believe in Fairy Tales?"

George Marshall, in the direction, gives the film the occasional flavor of a musical comedy, maintains the pace always fast and entertaining, and succeeds in keeping the potentially loose ends from getting out of hand. With Stewart now in the Army, the rendition of the "Johnny Toots His Horn" number hits a smart extra exploitation key.

Running time, 86 minutes. "G".* CHARLES S. AARONSON

"The King of the White Elephant"

(Pridi—King of the White Elephant)

A FOREWORD to the film warns that this is no ordinary dramatic film and is not to be judged by the usual Hollywood standards.

Lacking standards, therefore, let it be said that the picture tells the story of successful resistance by a king of Thailand (Siam) to aggression by a neighboring king. The dialogue is spoken in halting English by an all-Thai cast which is said to have rehearsed its lines for months to avoid the necessity of super-imposed titles. A year is said to have been spent in Bangkok and Ayodaya and neighboring jungles photographing the story in its native setting. Although some interesting effects are achieved, particularly in battle scenes with large numbers of warriors and elephants, the photography has little that is noteworthy.

One scene showing girls in a native dance is of interest, as is the performance of Pairin Nilsen, as the daughter of the prime minister. The performers endeavored to give an earnest interpretation of their roles, but their limited knowledge of English forestalled any attempt at dramatic emphasis.

A fair-sized preview audience chuckled and frequently laughed wholeheartedly during the course of the screening in much the same manner as audiences usually enjoy old-time films.

Running time, 66 minutes. "G."* EDWARD GRIEF

"G" denotes general classification.

Ohio County Begins Chance Game Drive

CLEVELAND, April 2.—Chance games at the Geauga Theatre, Chardon, O., largest theatre in Geauga County, is included in an anti-gambling drive being conducted by the Geauga County Grand Jury.

L. M. Smith, manager, has been named in an indictment charging operation of "a lottery, policy or scheme of chance." He was not arrested, however, and is expected to appear in Common Pleas Court for a hearing within a few days.

Coburn in Miami for Opening of 'Jones'

MIAMI, April 2.—Charles Coburn, featured in "The Devil and Miss Jones," RKO film starring Jean Arthur, which will open at three theatres here Friday, will make personal appearances at the theatres. The film opens at the Paramount, Beach and Sheridan theatres here. Coburn will make personal appearances with the opening of the film in other key cities. Terry Turner, RKO field exploitation head, is here handling the Coburn tour.

Monogram Delegates On Coast Tomorrow

HOLLYWOOD, April 2.—The first contingent of Monogram's 125 delegates will arrive here tomorrow for the company's annual convention which starts Friday. The meeting was described today by W. Ray Johnston, president, as the "most important in the company's history."

Headed by Henri Elman of Chi[illegible], a representative group arriving t[illegible]row, will include John Mangham, Atlanta; Ben Welansky, Boston; Harry Berkson, Buffalo; William Onie, Cincinnati; Nate Schultz, Cleveland; Charles Trampe, Milwaukee, and Ben Nathanson, Minneapolis.

The convention will get under way with activities centering largely on conferences with Johnston, Trem Carr, production executive, and other company executives and franchise holders. Steve Broidy, general sales manager, will reveal the sales program for next year. Carr will give a general analysis of studio plans. Friday night the delegates will be guests of Sam Katzman, producer, at the Hollywood Legion Fight, with a party afterward. Convention headquarters will be at the Hollywood Roosevelt Hotel.

Arthur Mayer, managing director of the Rialto Theatre, New York, on Saturday will discuss exploitation and advertising, and William J. Gell, managing director of Pathe Films, Ltd., London, Monogram's British distributor, will discuss the war's effects on American product.

Harry J. Thomas and Howard Stubbins will respectively describe Eastern and Western sales situations. Producers Sam Katzman, Scott Dunlap, George Weeks, Paul Malvern, Lindsley Parsons and I. E. Chadwick will discuss their productions.

Segall Denies All Pizor Allegations

PHILADELPHIA, April 2.—Charles Segall issued a statement today through his attorney, Morton Witkin, declaring the allegations contained in the bill of equity filed against him by his exhibitor partner, Lewen Pizor, are "false, untrue, malicious, libelous and incapable of proof."

He said an answer to that effect and "demanding proof of any of them" by Pizor will be filed. Hearing will be held Monday on Pizor's action alleging Segall defrauded their theatre corporation, operating the Ace, Appollo, Tioga and Chelten Theatres, and asking appointment of a receiver.

Baltimore Showman Club Is Organized

BALTIMORE, April 2.—Plans to organize the Showmen's Club of Maryland have materialized and officers elected. They are Robert Marhenke, president; Henry Matcher, vice-president; Edward Silver, recording secretary; Michael Robert, financial secretary, and Jack Bock, sergeant-at-arms.

There are approximately 100 members who have already joined the organization. The aims of the club are social and charitable.

March in W. B. Film

HOLLYWOOD, April 2.—Frederic March has been signed by Warners to star in "One Foot in Heaven."

All Arbitration Board Panels Now Complete

(*Continued from page 1*)

Great Neck, L. I., against the five consenting companies.

Typical of the final appointments are [illegible] following: New York, W. R. Hearst, Jr., newspaper executive; Ralph Foss, Mc-Graw Hill Publishing Co., and C. Roy Dickinson, president, Printers Ink Publishing Co.

Chicago, W. A. Patterson, president, United Air Lines; Walter Dill Scott, president, Northwestern University, and Colonel Henry Barrett Chamberlain, operating head of the Chicago Crime Commission.

Also: Dallas, C. F. O'Donnell, president, Southwestern Life Insurance Co.; Denver, A. De Bernardi, Jr., drama editor, *Denver Post;* Des Moines, Fred M. Morrison, president, Valley Savings Bank; Seattle, Dean Howard H. Preston, University of Washington, and Philadelphia, Lewis E. Burnham, investment banker.

Newcastle, Del., Theatre Files

PHILADELPHIA, April 2.—David Silver, owner of the Earle, Newcastle, Del., today filed the second arbitration complaint in the Philadelphia area.

The case involves a "some run" demand against M-G-M and names Loew's Parkway at Wilmington, Del., as an interested party. Silver's complaint charges that M-G-M has refused to sell him any run of its product despite his claim that the Earle, is comparable to Loew's Parkway. He asks an arbitration award requiring M-G-M to sell to him as other major companies do.

Drive-In Case Under Advisement

NEW ORLEANS, April 2.—Philip E. E. James, arbitrator for the first case to be heard by the local arbitration board, today took under advisement the "some run" complaint of Modern Theatres, Inc., operator of a drive-in, against Paramount.

Despite considerable interest attaching to the case as the first brought by a drive-in theatre, the status of which is not clear under the consent decree, the press was barred from the hearing. Request for a closed hearing was made by both parties and granted by the arbitrator under Article 21 of the rules.

[New York attorneys said they doubted whether Article 21 could be interpreted in such a way as to bar the press from an arbitration hearing. The article cited relates to "access to records."]

James said his decision would be handed down on Monday or Tuesday. Since the decree makes no reference to drive-in theatres, there has been some speculation whether or not they were eligible to arbitration.

Modern Theatres, of which Charles K. Wolmer is head, also is plaintiff in the other two complaints on file here. One is a "some run" complaint against M-G-M and is scheduled for hearing April 8 with Eugene A. Nabors as arbitrator. The other, also on "some run," is against Warners, and has not been set for hearing.

M-G-M Adjusts Drive-in Grievance

DALLAS, April 2.—M-G-M has settled the "some run" arbitration complaint of Joseph's Drive-In Theatre, Austin, and has been eliminated as a respondent. The complaint, which is being continued against 20th Century-Fox and Warners, is scheduled for hearing April 14, with C. F. O'Donnell, president of the Southwestern Life Insurance Co., as arbitrator.

Talks on Again for Fairbanks' UA Share

(*Continued from page 1*)

pany's proposed new selling plan for next season. Under the plan, all United Artists releases for the season, with the possible exception of those from David O. Selznick and Charles Chaplin, would be sold on one contract, as contrasted with the individual picture sales followed by the company since its formation.

A majority of the United Artists producers reportedly have indicated their approval of the proposal and it is believed that Silverstone will endeavor to obtain final authorization to proceed with the plan before April 14, when the company is scheduled to hold the first of five regional sales meetings. The plan would have to be adopted prior to the meetings in order that the sales force might be instructed in the new procedure.

English Trade in Reel Protest Today

(*Continued from page 1*)

the Ministry of news sequences taken by the reels, which are incorporated in propaganda subjects released without charge by the Government. Another grievance is the spotting of Ministry cameramen in key news spots to the exclusion of regular newsreel cameramen.

Hollywood Review

"The Lady from Cheyenne"

(*Frank Lloyd-Universal*)

Hollywood, April 2

IN this first of the three films which Frank Lloyd is to make for Universal, he has contributed a fast moving and humorous story of the old west.

This tale, starring Loretta Young, is not a conventional big-scale western, but rather, as a foreword explains, a fanciful explanation of how one woman brought about the "civilizing" of the Wyoming Territory. The process involves romance, struggles with the town boss, and the passage of a bill in the territory's legislature for woman's suffrage.

Robert Preston is involved romantically, as well as appearing in the role of chief henchman to the town's overlord, enacted by Edward Arnold. Frank Craven is seen as a crusading newspaper editor, Gladys George as a lady whose wits surpass her virtue. All, as well as Miss Young, turn in performances which add to their already high stature in the acting community.

Jack Skirball was associate producer to Lloyd, who produced and directed. The one song used in the production is the work of Charles Previn and Sam Lerner. The large supporting cast includes Jessie Ralph, Stanley Fields, Willie Best, Samuel Hinds, Spencer Charters, Joseph Sawyer and Roger Imhof.

Running time, 88 minutes. "A."* W. S.

**"A" denotes adult classification.*

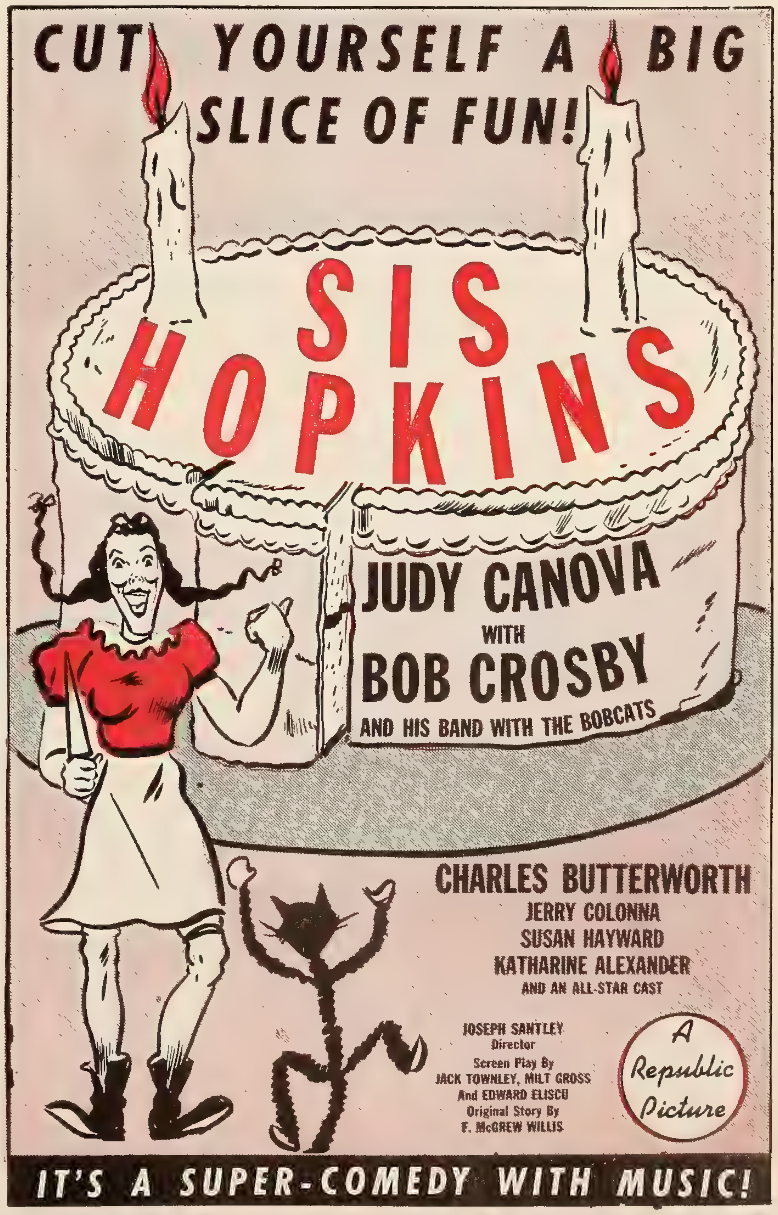
Bishop J. H. Ryan Praises Industry

(*Continued from page 1*)

J. Cantwell of Los Angeles; Mayor and Mrs. Fletcher Bowron; Dr. James E. West, Chief Boy Scout Executive; Sheriff Eugene Biscailuz, Harry Cohn, Mr. and Mrs. John W. Considine, Jr., and Sr., District Attorney John F. Dockweiler, Ben Goetz, Henry Ginsberg, Samuel Goldwyn, Police Chief and Mrs. Arthur Hohman, Federal Judge and Mrs. Harry Hollzer, Sam Katz, Rabbi and Mrs. Edgar Magnin, the Rev. Charles A. McJuillan, Dr. Willsie Martin.

E. J. Mannix, Mr. and Mrs. J. Robert Rubin, Harry Rapf, Norma Shearer, Rt. Rev. W. Bertrand Stevens, Joseph Scott, Ben Thau, Walter Wanger, H. M. Warner, Irving Asher, Col. Wayne Allen, J. J. Cohn, Fred Beetson, Pandro S. Berman, Jack Chertok, the Rev. J. V. Connolly, Pat Casey, B. P. Fineman, Matty Fox, Dick Goldstone, Don Gilman, Harrison Holliday, Bernard H. Hyman, Col. Jason Joy, Edwin Knopf, Vierling Kersey, Robert Z. Leonard.

Judge Ben Lindsay, Sol Lesser, Dr. James H. Lash, Al Lichtman, Jerry Mayer, Joe Mankiewicz, Harry Maizlish, Sam Marx, the Rev. Leo Murphy.


CUT YOURSELF A BIG SLICE OF FUN!
SIS HOPKINS
JUDY CANOVA
WITH
BOB CROSBY
AND HIS BAND WITH THE BOBCATS
CHARLES BUTTERWORTH
JERRY COLONNA
SUSAN HAYWARD
KATHARINE ALEXANDER
AND AN ALL-STAR CAST
JOSEPH SANTLEY Director
Screen Play By JACK TOWNLEY, MILT GROSS And EDWARD ELISCU
Original Story By F. McGREW WILLIS
A Republic Picture
IT'S A SUPER-COMEDY WITH MUSIC!

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Mar. 7	**Lone Wolf Takes a Chance (D)** *Warren William* *June Storey*	**Rage in Heaven (D) 128** *R. Montgomery* *I. Bergman*			**Citadel of Crime (D)** *John Wayne* *Frances Dee*		**Tobacco Road (D) 133** *C. Grapewin* *Gene Tierney*	**The Great Dictator (C)** *Chas. Chaplin* *Goddard-Oakie*	**Mr. Dynamite (D)** *Lloyd Nolan* *Irene Hervey*	**Footsteps in the Dark (C)** *Errol Flynn* *B. Marshall*
Mar. 14		**The Penalty (D) 129** *L. Barrymore* *Edward Arnold*	**Flying Wild (D)** *Leo Gorcey* *Bobby Jordan*	**In Old Colorado (O) 4052** *Boyd-Hayden*	**Back in the Saddle (O)** *Gene Autry* *Smiley Burnette*	**A Girl, A Gob and A Guy (C)** *George Murphy* *Lucille Ball*	**Murder Among Friends (D)** *John Hubbard* 132		**Double Date (D)** *Peggy Moran* *Rand Brooks*	**Here Comes Happiness (D)** *Mildred Coles* *Edward Norris*
Mar. 21	**Penthouse Mystery (D)** *R. Bellamy* *M. Lindsay*			**The Lady Eve (C)** *B. Stanwyck* *Henry Fonda*	**Mr. District Attorney (D)** *Florence Rice* *Dennis O'Keefe*	**Footlight Fever (D) 119** *Alan Mowbray* *Donald McBride*	**The Outlaw (O) 135** *Walter Huston* *Jane Russell*	**Topper Returns (C)** *Joan Blondell* *Roland Young*	**Man Who Lost Himself (D)** **Bury Me Not On the Lone Prairie (D)**	**The Sea Wolf (D)** *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28		**The Bad Man (O) 124** *Wallace Beery* *L. Barrymore*	**Sign of the Wolf (D)** *Grace Bradley* *Michael Whalen*	**Las Vegas Nights (M)** *Regan-Wheeler* *Tommy Dorsey*	**In Old Cheyenne (O)** *Roy Rogers* *Gabby Hayes*	**Melody for Three (D)** *Jean Hersholt*	**Dead Men Tell (D) 136** *Sidney Toler* *K. Aldridge*		**Horror Island (D)** **Man-Made Monster (D)**	**Knockout (D)** *Art Kennedy* *Olympe Bradna*
Apr. 4	**North From the Lone Star (O)** *Bill Elliott* *Dorothy Fay*			**Roundup (O)** *Richard Dix* *Pat. Morison*	**Pals of the Pecos (O)** **2-Gun Sheriff (O)**	**Repent at Leisure (C)** *Kent Taylor* *Wendy Barrie*	**Scotland Yard (D) 131** *John Loder* *Nancy Kelly*			**A Shot in the Dark (D)** *Wm. Lundigan* *Nan Wynn*
Apr. 11		**Men of Boys Town (D) 132** *Rooney-Tracy*		**Road to Zanzibar (C)** *Bing Crosby* *Lamour-Hope*	**Sis Hopkins (C)** *Judy Canova* *Bob Crosby*	**Devil and Miss Jones (C)** *Jean Arthur* *Charles Coburn*	**That Night in Rio (M) 137** *Alice Faye* *Don Ameche*		**Lady from Cheyenne (O)** *Loretta Young* *Robert Preston*	**The Great Lie (D)** *Bette Davis* *George Brent*
Apr. 18	**Under Age (D)** *Nan Grey* *Alan Baxter*	**Washington Melodrama (D) 131** *Frank Morgan*	**Hoosier Schoolboy (D)** *Mickey Rooney* (Re-issue)	**Border Vigilantes (O)** *William Boyd* *Russell Hayden*	**Rookies On Parade (C)** *Bob Crosby* *Ruth Terry*	**Robbers of the Range (O)** *Tim Holt* *Virginia Vale*	**Ride On Vaquero (O)** *Cesar Romero* *Mary B. Hughes*		**Model Wife (D)** **Mutiny in the Arctic (D)**	**Strange Alibi (D)** *Art. Kennedy* *Joan Perry*
Apr. 25	**Penny Serenade (C)** *Cary Grant* *Irene Dunne*	**Ziegfeld Girl 130** *Stewart-Lamarr* *Turner-Garland*	**Tumbledown Ranch in Arizona (O)** **Phantom Monster (D)**	**Power Dive (D)** *Richard Arlen* *Jean Parker*		**They Met in Argentina (M)** *Maureen O'Hara* *James Ellison*	**Inspector Hornleigh Goes To It (D)** *Alastair Sim*	**That Uncertain Feeling (C)** *Merle Oberon* *Melvyn Douglas*	**Flame of New Orleans (D)** *Marlene Dietrich* *Robert Young*	**The Wagons Roll at Night (D)** *H. Bogart* *Sylvia Sidney*
May 2	**The Big Boss (D)** **They Dare Not Love (D)**	**People vs. Dr. Kildare (D)** *Ayres-Day* *L. Barrymore*	**Widows of the Press (D)** *Jean Parker* *Wallace Ford*	**Reaching for the Sun (D)** *Joel McCrea* *Ellen Drew*	**Lady from New Orleans (D)** **Singing Hills (O)**	**Hurry, Charlie, Hurry (C)** *Leon Errol*	**Great American Broadcast (M)** *Alice Faye* *Oakie-Payne*		**Black Cat (D)** *Basil Rathbone* *Hugh Herbert*	
May 9	**Her First Beau (C)** *Jane Withers* *Jackie Cooper*	**Love Crazy (C)** *Myrna Loy* *Wm. Powell*	**Human Ghost (D)** *Judy Kelly* *Keneth Kent*	**There's Magic in Music (M) 4021** *Alan Jones* *Susan Foster*	**Country Fair (C)** *Lulu Bell & Scottie*	**Tom, Dick and Harry (C)** *Ginger Rogers* *George Murphy*				
May 16	**She Knew All the Answers (C)** *Joan Bennett* *Franchot Tone*	**Law and Lucky Wilson (D)** *Marsha Hunt* *Robt. Sterling*		**One Night in Lisbon (D)** *F. MacMurray* *M. Carroll*	**Sheriff of Tombstone (O)** *Roy Rogers* *Gabby Hayes*		**Man Hunt (D)** *Walter Pidgeon* *George Sanders*			
May 23	**Naval Academy (D)** *F. Bartholomew*	**A Woman's Face (D)** *Joan Crawford*			**A Gay Vagabond (C)** *Roscoe Karns*		**Cowboy and the Blonde (O)** *Mary B. Hughes*		**Too Many Blondes (M)** *Rudy Vallee* *Helen Parrish*	

Business Builders!
Audience Builders!
Program Builders!

PARAMOUNT SHORTS!

March 28
Magnacolor
'UNUSUAL OCCUPATIONS No. 4'

March 28
Grantland Rice Sportlight
'CANINE SKETCHES'

April 4
Popeye the Sailor
'FLIES AIN'T HUMAN'

April 4
Madcap Models
'DIPSY GYPSY'
(Technicolor)

100% BOX OFFICE TESTED!

Paramount Pictures

'Sea Wolf' Is Philadelphia Best, $18,500

PHILADELPHIA, April 2.—In spite of the Lenten season and competition from three legitimate theatres reporting capacity business, picture grosses held up well in face of the fact that holdovers dominate the local scene. "The Sea Wolf" at the Stanley reported $18,500 while "The Great Dictator" continued big for its third week at the Stanton with $9,900.

Estimated receipts for the week ending March 26-28:

"Fantasia" (Disney)
ALDINE—(1,400) (50c-75c-86c-$1.14-$1.71) 7 days, 6th week. Gross: $8,000. (Average, $9,000)
"Virginia" (Para.)
ARCADIA—(600) (35c-46c-57c) 6 days, 2nd week, 2nd run. Gross: $3,000. (Average, $2,600)
"The Lady Eve" (Para.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $15,000. (Average, $13,000)
"You're the One" (Para.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville, including Milt Britton's orchestra, Patricia Ellis, Dave Van Horn, Joe Britton, Helen Pammer, Tito, Tom Rafferty, and the Three Sailors. Gross: $18,700. (Average, $14,000)
"The Great Mr. Nobody" (W. B.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville, including Rosita Carmen, Eve Arden, Bert Walton, The Dodo Boys, James Evans, Nelson & Hart, and Billie Beck. Gross: $6,500. (Average, $6,900)
"Strawberry Blonde" (W. B.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $14,800. (Average, $13,000)
"Western Union" (20th-Fox)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,800. (Average, $3,000)
"Back Street" (Univ.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,500. (Average, $4,500)
"The Sea Wolf" (W. B.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $18,500. (Average, $14,000)
"The Great Dictator" (U. A.)
STANTON—(1,700) (35c-41c-46c-57c-68c) 7 days, 3rd week. Gross: $9,900. (Average, $4,500)

'Sleepers,' Show $13,000, Cincinnati

CINCINNATI, April 2. — "Sleepers West" pulled $13,000 with the aid of a stage show at the RKO Shubert. "The Lady Eve" gave the RKO Albee $13,200, and "The Mad Doctor" plus "The Monster and the Girl" did $4,300 on a double bill at the RKO Lyric.

Estimated receipts for the week ending March 26-29:

"The Lady Eve" (Para.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $13,200. (Average, $12,000)
"The Sea Wolf" (W. B.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $9,500. (Average, $10,000)
"Sleepers West" (20th-Fox)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Earl Carroll's Vanities. Gross: $13,000. (Average, $10,000)
"Andy Hardy's Private Secretary" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 3rd week. Gross: $3,700. (Average, $5,500)
"Rage in Heaven" (M-G-M)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $3,200. (Average, $5,000)
"The Mad Doctor" (Para.)
"The Monster and the Girl" (Para.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. Gross: $4,300. (Average, $4,500)
"Caught in the Act" (Prod. Rel.)
"Sign of the Wolf" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Dark Streets of Cairo" (Univ.)
"Where Did You Get That Girl" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Strawberry Blonde" (W. B.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 5th week. Gross: $3,000. (Average, $5,000)

Short Subject Reviews

"Porky's Bear Facts"

(*Schlesinger-Warners*)

In an amusing "Looney Tune" black-and-white cartoon, Porky diligently cultivates his farm while his neighbor, a shiftless but likeable bear, sleeps in the sun. When Winter comes, the bear comes begging for food and Porky helps him out. After repenting about his past laziness, the bear goes back to his old habits at the first sign of Spring. An engaging character, that shiftless bear. Running time, 7 mins.

"The Cat's Tale"

(*Schlesinger-Warners*)

One of the liveliest in this "Merrie Melody" series, this color cartoon shows a mouse who finally gets tired of being chased by a cat. He decides to face his pursuer and demands a "showdown." The cat finds the mouse's demand reasonable and is even convinced to speak to the dog about calling off all pursits of felines. The dog, however, is not so easily persuaded and the reel ends with the mouse being chased by the cat again. Running time, 7 mins.

"Sky Sailing"

(*Warners*)

Gliding, newest and most thrilling of all sports, is explained in this "Sports Parade" issue in natural color. It is a reel which should please young and old alike. The method of assembling a glider, the first lessons, elementary principles and the pleasures which may be expected are described fully. Running time, 10 minutes.

"Tortoise Beats the Hare"

(*Schlesinger-Warners*)

The old fable about the tortoise beating the hare in a foot race receives a new treatment in this "Merrie Melody." The hare is first seen on the title where he is shocked to see the name of the reel. He challenges the tortoise to a race but the latter gets all his friends to aid him along the route. The hare constantly passes the tortoise but always sees another in front. Worthwhile. Running time, 7 mins.

"Goofy Groceries"

(*Schlesinger-Warners*)

The labels on the grocery shelf come to life in this "Merrie Melody." While the fun is at its height, a gorilla breaks loose from the animal cracker box and starts a panic. There are a number of amusing sequences when the sardines turn chorus girls and the canned tomatoes dance the can-can. Running time, 7 mins.

"This Is England"

(*Columbia*)

Here is another item of propaganda pleading the British cause and extolling the British people. Commentary by Ed Murrow, London reporter for CBS, is terse and extremely effective. The film, in a grim treatment, places on view the debris-laden streets and the buildings which were torn apart by raiders, and in contrast pictures defense workers who testify to the courage of the English. Sentiment here assures favorable audience reaction. Columbia will turn over the proceeds of distribution to the "Spitfire Fund" of the Royal Air Force. Running time, 10 mins.

"Alluring Alaska"

(*FitzPatrick-M-G-M*)

Continuing the "See America" reels, this FitzPatrick "Traveltalk" in color describes the beauties of Alaska. After explaining that Alaska is one-fifth the size of the United States with a population of only 60,000, the reel shows the City of Fairbanks, the Government-controlled railway, the University of Alaska, the Spencer glacier and the Matanuska Valley. Highlight of the film is a view of Mt. McKinley. The unusual facts about Alaska are interwoven with views of its scenic wonders to make one of the most effective reels of this type. Running time, 9 mins.

"More Trifles of Importance"

(*M-G-M*)

The discovery of digitalis as a drug for treatment of heart diseases and of tannic acid for burns is traced in this issue of John Nesbitt's "Passing Parade" series. Nesbitt explains that many medical advances came as the result of seemingly unimportant trifles and proves his case with the two examples. Worthwhile. Running time, 11 mins.

"Speaking of Animals"

(*Paramount*)

A remarkably clever departure from the conventional, this down-on-the-farm comedy has its characters, real animals, talking to each other or to the audience in an extremely funny illusion. The innovation is regular cartoon sketching interworked with the film so that the lip movements of the animals appear in perfect harmony with a voice dubbed in. There are many laughs here. Running time, 9 mins.

"The Streamlined Donkey"

(*Columbia*)

Concerning a baby donkey and its mother, this is a cartoon fable told in a fashion that probably will delight the youngsters. The young donkey makes every effort to enjoy life in spite of its mother's admonitions. The mother eventually learns that she erred and she, too, becomes happy. Running time, 7 mins.

"Music in the Morgan Manner"

(*Universal*)

Russ Morgan and his orchestra provide the music in the background while a group of dance teams and vocalists perform. Of these only two, Jane Frazee and Nina Orla, are any credit to the short. Running time, 17 mins.

"Popular Science"

(*Paramount*)

This newest unit in the series includes the conservation of quail in Oklahoma; the scientific production of synthetic rubber, sponges, fabrics, dyes, bristles and glass, the operation of the 20-ton Stratoliner and Professor Oakes, screwball inventor. It all adds up to the standard "Popular Science" short, which means it should be enjoyed in any theatre. Running time, 11 minutes.

$14,000 for 'Lady Eve' in San Francisco

SAN FRANCISCO, April 2. — "The Sea Wolf," with Jack London ballyhoo, paired with "The Great Mr. Nobody" to hit $17,500 at the Fox, and moved to St. Francis for a second week. Also strong was "The Lady Eve" and "Behind the News," with $14,000 at the Paramount. The weather was good.

Estimated receipts for the week ending March 25-29:

"Scattergood Baines" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $9,500. (Average, $15,000)
"Cheers for Miss Bishop" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $8,000. (Average, $8,000)
"Back Street" (Univ.)
"Six Lessons from Madame Lazonga" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $8,000. (Average, $8,000)
"The Sea Wolf" (W. B.)
"The Great Mr. Nobody" (W. B.)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $17,500. (Average, $16,000)
"The Lady Eve" (Para.)
"Behind the News" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $14,000. (Average, $11,500)
"Tobacco Road" (20th-Fox)
"Sleepers West" (20th-Fox)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $4,600. (Average, $6,000)
"Meet John Doe" (W. B.)
WARFIELD—(2,680) (40c-50c-65c) 7 days, 2nd week. Gross: $11,500. (Average, $12,000)
"Personal Column" (Pax)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $900. (Average, $1,000)
"Fantasia" (Disney)
GEARY — (1,288) (55c-75c-$1.10-$1.65) 7 days, 4th week. Gross: $13,800. (Average, $12,000)

'Wind' with $11,000 Minneapolis Lead

MINNEAPOLIS, April 2. — "Gone With the Wind" in its second week and "The Westerner," coupled with a stage show, split box-office honors for the week, doing an estimated $11,000 apiece.

Estimated receipts for the week ending March 28:

"Gone With the Wind" (M-G-M)
CENTURY—(1,600) (28c-44c-55c) 7 days, 2nd week. Gross: $11,000. (Average, $4,000)
"The Westerner" (U. A.)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. With Joe Reichman band, Eunice Healy, Cardini, Chick and Lee on stage. Gross: $11,000. (Average, $5,500)
"Buck Privates" (Univ.)
GOPHER—(998) (28c) 7 days, 2nd week. Gross: $4,200. (Average, $2,500)
"Tobacco Road" (Fox)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $8,800. (Average, $6,000)
"Strawberry Blonde" (W. B.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $2,400. (Average, $1,600)
"In Old Colorado" (Para.) (5 days)
"Little Men" (RKO) (5 days)
"Shadows on the Stairs" (W. B.) (2 days)
"Scattergood Baines" (RKO) (2 days)
ASTER—(900) (15c-28c) 7 days. Gross: $2,000. (Average, $1,800)

Loew's Sued Over Film

Loew's, Inc., and M-G-M Pictures Corp. are defendants in a suit filed yesterday in N. Y. Supreme Court by Stephen Tamas for $200,000 damages and an injunction. Tamas charged infringement of his play, "Moscow, Paris and Return," in the film "Ninotchka." The defendants have filed an answer denying the charges.

'Dictator' in Boston Gets Big $33,000

BOSTON, April 2.—"The Great Dictator," coupled with "Meet Boston Blackie," grossed $15,000 at Loew's State and $18,000 at Loew's Orpheum, for a total of $33,000. "The Sea Wolf" plus "Here Comes Happiness" drew $18,000 at the Metropolitan in a week of only fair grosses.

Estimated receipts for the week ending March 24-26:

"Buck Privates" (Univ.)
"This Thing Called Love" (Colo.)
"Nobody's Children" (Col.)
KEITH BOSTON—(3,200) (28c-33c-44c-55c-56c) 4 days, 3 days, with vaudeville, including Collins and Peterson and the Singing Powers Models. Gross: $11,700. (Average, $8,000)

"Back Street" (Univ.)
"Let's Make Music" (RKO)
KEITH MEMORIAL—(2,907) (28c-39c-44c-55c) 7 days. Gross: $15,000. (Average, $16,000)

"The Sea Wolf" (W. B.)
"Here Comes Happiness" (W. B.)
METROPOLITAN—(4,367) (28c-39c-44c-55) 7 days. Gross: $18,000. (Average, $15,500)

"The Lady Eve" (Para.)
"Tall, Dark and Handsome" (20th-Fox)
PARAMOUNT — (1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $10,300. (Average, $7,500)

"The Lady Eve" (Para.)
"Tall, Dark and Handsome" (20th-Fox)
PENWAY—(1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $7,600. (Average, $4,500)

"Strawberry Blonde" (W. B.)
"The Monster and the Girl" (Para.)
SCOLLAY—(2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $4,200. (Average, $4,000)

"The Great Dictator" (U. A.)
"Mett Boston Blackie" (Col.)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days, 3rd week. Gross: $15,000. (Average, $12,000)

"The Great Dictator" (U. A.)
"Meet Boston Blackie" (Col.)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days, 3rd week. Gross: $18,000. (Average, $17,500)

'Dictator' Scores $22,500 in Detroit

DETROIT, April 2. — "The Great Dictator," in its second and final week at the Michigan, coupled with "Father's Son," grossed $22,500. It moves over to the Palms. The Fox took $15,000 with "The Girl In The News" and a stage show headed by Raymond Scott and his orchestra.

Estimated receipts for the week ending March 27:

"Tobacco Road" (20th-Fox)
"Double Date" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,700. (Average, $5,500)

"Come Live With Me" (M-G-M)
"High Sierra" (W. B.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $7,000)

"The Girl in the News" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days. On stage: Raymond Scott and orchestra with Deval, Merle & Lee, Bob Dupont, Jimmy Byrnes, Gil & Bernice Maison, Clyde Burke, Gloria Hart, Art Ryerson. Gross: $15,000. (Average, $15,000)

"The Great Dictator" (U. A.)
"Father's Son" (W. B.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. 2nd week. Gross: $22,500. (Average, $12,000)

"The Mad Doctor" (Para.)
"The Monster and The Girl" (Para.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)

"Gone With the Wind" (M-G-M)
UNITED ARTISTS—(2,000) (44c-55c) 7 days, 6th week. Gross: $10,000. (Average, $10,000)

"Fantasia" (Disney)
WILSON — (1,400) (55c-75c-$1.10-$1.75) 7 days. Gross: $7,500. (Average, $10,000)

Critics' Quotes . . .

"I WANTED WINGS" (Paramount)

Judged as a run-of-the-Class-A attractions, it is an interesting and often exciting treatment of a topical subject.—*Newsweek.*

The flying sequences are as beautiful and exciting as any ever shown on the screen . . . "I Wanted Wings" has an inspirational quality that raises it up to the level of the finest films of its type.—*Kate Cameron, New York Daily News.*

Has a lot of stirring and provocative aviation excitement to recommend it . . . As a personal, dramatic entertainment, it leaves so much to be desired that it must be set down as a faltering screen show.—*Howard Barnes, New York Herald Tribune.*

In spite of a thread of a Class-B story which gets snarled in its whirling propellers before the end, this cinematic salute to the Army Air Corps and to the young men who are entering it today is a vastly exciting motion picture and a dependable inspiration to the youth of the land.—*Bosley Crowther, New York Times.*

You'll get the thrill of a lifetime because no other flying service film has touched this one for excitement, spectacular flying and accuracy in detail.—*William Boehnel, New York World-Telegrom.*

"A GIRL, A GUY AND A GOB" (Lloyd-RKO)

Engaging clowning that will amuse a wide audience . . . Although Lloyd never slides into camera range, his actor-proxies and every sequence of their vehicles reflect a mastery of the sure-fire laugh that dates back to 1913.—*Newsweek.*

Harold Lloyd's new comedy proved highly effective with the preview audience. Miss Ball and Murphy are well teamed.—*James Francis Crow, Los Angeles News.*

A streamlined, robustious action affair, replete with gags and sounding the note of novelty in entertainment . . . will undoubtedly click in a decided way with the popular audience.—*Edwin Schallert, Los Angeles Times.*

A superior essay in screen fun and we award it our Blue Ribbon with Palms and recommend it with no important reservations.—*Gilbert Kanour, Baltimore Evening Sun.*

The funniest picture presented for review in 1941. Even after the pace slows down the film does all right, and those in search of light diversion will do well not to miss it.—*Donald Kirkley, Batimore Morning Sun.*

"THE SEA WOLF" (Warners)

Altogether unpretentious though the whole production is, I am inclined to think it is the best picture of the brutality of life at sea since "Mutiny on the Bounty."—*John Mosher, The New Yorker.*

The current version is—if anything—more brutal than the old silent film, but only rarely credible; aside from a fine cast, its principal contribution to entertainment is a scriptful of violence for excitement's sake.—*Newsweek.*

The picture is strong melodrama and its action has been stepped up to a fast pace by Director Michael Curtiz.—*Bob Locke, Kansas City Journal.*

Remains a walloping movie drama packed with two-fisted action, hair-raising thrills and sensational scraps.—*Elsie Finn, Philadelphia Record.*

Director Michael Curtiz gets the picture off to an exciting start and keeps the blood-and-thunder melodrama moving at a swift pace throughout most of the film.—*Helen Eager, Boston Traveler.*

Neither pretty nor gentle, but is a ruthless and thrilling melodrama of the sea.—*Norman Clark, Baltimore News Post.*

"TOPPER RETURNS" (Roach-United Artists)

Skillfully and rapidly paced by director Roy Del Ruth, the film unreels a series of hilarious proceedings that give ample opportunity to a cast of expert farceurs.—*Kenneth McCaleb, New York Daily Mirror.*

A rather sluggish ghost-hunt . . . old stuff.—*New York Times.*

Though not quite up to snuff, the new Topper film repeatedly aims at the funnybone and scores the majority of shots.—*Wanda Hale, New York Daily News.*

A lot of tomfoolishness but really great fun, especially if you haven't seen its two predecessors.—*Luvie Pearson, Washington Times-Herald.*

The thing is not so adroit as the original "Topper," but, at least, it is an effective exercise of ingenuity and another demonstration of the sort of photographic wizardry that can sprout laughs in most unexpected places and on apparently barren soil.—*Nelson B. Bell, Washington Post.*

"NICE GIRL?" (Universal)

Deanna Durbin is as good as ever . . . some of the comedy moments are good . . . But aside from that, the narrative and situations are routine and whatever fun there is in them is due entirely to the way the cast takes old-hat stuff and gives it the semblance of freshness and vigor.—*William Bohnel, New York World-Telegram.*

The atmosphere is small town and homey, with a happy sense of values. "Nice Girl?" is fresh and appealing.—*New York Sun.*

An infectious little comedy which is lightweight in all departments but is easy to watch and to listen to, as well.—*New York Times.*

Isn't our idea of Durbin par. Lacking almost completely is the youthful sparkle, verve and spontaneity one has come to associate with Pasternak-Durbin productions.—*Luvie Pearson, Washington Times-Herald.*

It's plain to see that Hollywood has run out of stories for Deanna Durbin —*Washington News*

"ADAM HAD FOUR SONS" (Columbia)

The direction is by Gregory Ratoff, and while he has done all that can reasonably be expected of one who knows his stuff, as the saying goes, he could not make "Adam Had Four Sons" more than moderately entertaining diversion.—*Gilbert Kanour, Baltimore Evening Sun.*

'Doe' Takes $13,700 at 2 Seattle Spots

SEATTLE, April 2. — "Meet John Doe" at the Orpheum and Fifth Avenue at slightly advanced prices drew a total of $13,700, with $5,900 a[illegible] former and $7,800 at the latter. [illegible]e National Flower Show at the Civic Auditorium attracted thousands at 75 cents per head. The weather was warmer than usual.

Estimated receipts for the week ending March 28:

"Tobacco Road" (20th-Fox)
"Play Girl" (RKO)
BLUE MOUSE—(950) (30c-40c-50c) 7 days, 3rd week. Gross: $3,100. (Average, $4,000)

"Meet John Doe" (W. B.)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $7,800. (Average, $7,000)

"Adam Had Four Sons" (Col.)
"Blondie Goes Latin" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $4,800. (Average, $5,000)

"A Girl, a Guy and a Gob" (RKO)
"You're the One" (Para.)
MUSIC BOX—(950) (30c-40c-50c) 7 days, 2nd week. Gross: $3,400. (Average, $4,000)

"Meet John Doe" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,900. (Average, $6,000)

"Let's Make Music" (Rep.)
"Shadows on the Stairs" (Univ.)
PALOMAR—(1,500) (30c-40c-50c) 7 days. Vaudeville on stage. Gross: $5,300. (Average, $5,000)

"So Ends Our Night" (U. A.)
"Road Show" (U. A.)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $5,100. (Average, $6,000)

'Doe' with $12,000 Tops Providence

PROVIDENCE, April 2. — "Meet John Doe," playing the Majestic at advanced prices as a single feature, garnered $12,000. The RKO Albee's bill, "Back Street" and "Let's Make Music," was good for $9,300.

Estimated receipts for the week ending March 26-27:

"Back Street" (Univ.)
"Let's Make Music" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $9,300. (Average, $6,000)

"Cheers for Miss Bishop" (U. A.)
"Free and Easy" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $9,000. (Average, $11,000)

"Meet John Doe" (W. B.)
MAJESTIC—(2,250) (39c-55c-65c) 7 days. Gross: $12,000. (Average, $7,000)

"The Lady Eve" (Para.)
"A Man Betrayed" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days, 2nd week. Gross: $6,500. (Average, $6,000)

"I Met a Murderer" (York)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 5 days. Stage show with Tommy Dorsey and orchestra; Frank Sinatra, Connie Haines, The Pied Pipers, Buddy Rich and Ziggy Elman. Gross: $13,500. (5-Day average, $4,700)

"The Phantom Cowboy" (Rep.)
FAY'S — (1,800) (33c-39c-44c) 7 days. Stage show with Seven La Conga Dancers; Hi-Low-Jack and Dame; the Neiss Four; Olyn Landick; Carroll & White. Gross: $3,500. (Average, $5,000)

"The Great Dictator" (U. A.)
"The Devil Commands" (Col.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,700. (Average, $3,500)

"Son of Monte Cristo" (U. A.) (3 days)
"Golden Hoofs" (20th-Fox) (3 days)
"So Ends Our Night" (U. A.) (4 days)
"Maisie Was a Lady" (M-G-M) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,400. (Average, $1,700)

McNamee Joins Emanuel

PHILADELPHIA, April 2.—Frank L. McNamee, former RKO branch manager here, has joined the Jay Emanuel Theatres organization in an executive capacity.

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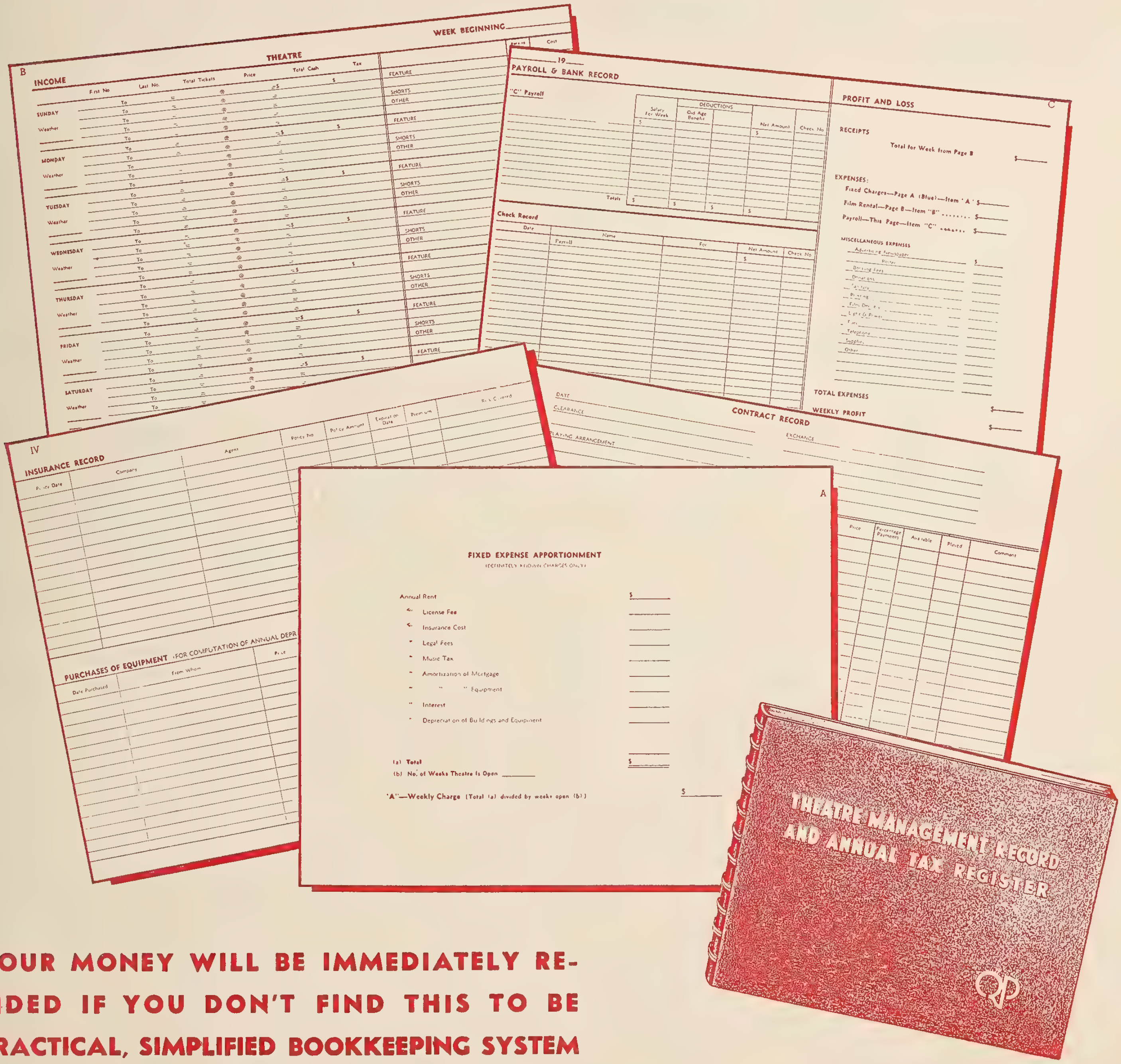
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Film Men Will See Television On Big Screen

(Continued from page 1)

of a new sound system for theatres, it is stated.

National Broadcasting Co., wholly owned subsidiary of RCA, of which David Sarnoff is president, has been experimenting with camera technique in an effort to develop a practical process for large screen use. One of the problems which the company has been trying to solve is to find a way of getting the right amount of light necessary for practical large screen television of quality.

Tomorrow evening, tests will be made at the New Yorker during the Baer-Nova fight. Tan canvas will be used in the ring instead of white to reduce the reflected glare, and added batteries of lights will be employed. NBC will use also the orthicon camera, which operates on less light but with a loss of definition as compared with the iconoscope. However, it is believed that light rather than sharp detail is needed when televising fast action.

RCA has been gathering statistics on costs during the past few months. Although the major purpose of the May 9 demonstration will be to acquaint theatre men with the latest developments in large screen television, officials also believe that some definite information will be available for disclosure about costs, methods of transmission and uses in the theatre.

Direct transmission by telephone lines is under consideration, as well as the use of special frequencies which cannot be received on home sets, it is reported.

Mike Jacobs, president of 20th Century Sporting Club, promoter of the fights, is cooperating with the experiments despite his recent break with NBC-Blue on the radio rights to the bouts. Jacobs is reported to have seen the recent Golden Gloves bouts on the large screen and to have been enthusiastic. He is scheduled to view some of the preliminary fights at the New Yorker tomorrow.

Kansas City Circuit Realigns Managers

KANSAS CITY, April 2.—The Commonwealth Amusement Corp., with headquarters here, has announced the following personnel changes:

Emery Scott, former manager of the Uptown, Creston, Ia., becomes manager of the Granada, Lawrence, Kan. Howard Wolfe, formerly manager of the Patee, Lawrence, Kan., becomes manager of the Royal, Trenton, Mo. Russell Huff, former manager of the Royal, has resigned. Jack Kempton, former manager of the Granada, Lawrence, Kan., becomes manager of the Jayhawker, Lawrence. Douglass J. Lightner becomes manager of the Paramount, Rockport, Me., replacing Roy Jones, who will be transferred to manage the new Fort Wood house, Waynesville, Mo. William Lenhart, Royal, Trenton, Mo., has been transferred to the staff of the Strand, Creston, Ia.

Off the Antenna

THE Travel and Publicity Bureau of the Provincial Government of Ontario will sponsor a variety program over 52 CBS stations beginning April 20 to promote tourist travel in the province. Ned Sparks will be featured on the program, which will be heard Sundays 5:30-6 P.M. from Toronto. To stimulate promotional work by the stations involved, the Bureau will pick up the managers of the 52 stations next Wednesday at Buffalo and fly them to Toronto. There they will be given an official welcome by Premier Mitchell Hepburn will see film extolling Ontario's virtues as a tourist center and will be given a banquet.

• • •

Purely Personal: *Jo Ranson, radio editor of the* Brooklyn Eagle, *has written a book on Coney Island, "Sodom by the Sea," in collaboration with Oliver Pilat of the* New York Post, *to be published by Random House in July. . . . Bertram J. Hauser, assistant to E. P. H. James, NBC-Blue sales promotion manager, is celebrating the* 10*th anniversary of his joining the network this week. . . . Polly Martin, who conducts "Polly, the Shopper" over WHN, goes on leave tomorrow. Perry Martin, her husband, will be guest on the show for the last program.*

• • •

CBS periodically revives Norman Corwin's "My Client Curley," one of the outstanding fantasies written for the "Columbia Workshop" series. On Friday, April 11, however, the revival will be put on with real fanfare during the "Campbell Playhouse" hour. Fred Allen will play the lead role and Lyn Murray has written a special score.

• • •

A banner month was reported for March by the WHN sales department. Thirty-three contracts and renewals were signed, it was said, for a total of 23 hours weekly of sponsored programs and 287 announcements per week.

• • •

Program News: *Cornelia Otis Skinner will start a four-week series over WNYC beginning April 6. She will be heard Sundays* 5:45-6 *P.M. . . . Ben Gross, radio editor of the* New York Daily News, *will resume his weekly news commentary over WMCA Sunday when he returns from a three-week vacation. . . . Frances Scott will start "It Takes a Woman," transcribed, Monday over WABC, to be heard* 8:25 *A.M., Mondays, Wednesdays and Fridays. . . . Random House will publish 27 scripts from the CBS series "Invitation to Learning" May* 15.

Important Decision Given on Plagiarism

(Continued from page 1)

Wood, and Robert Myers, of NBC's legal staff.

Judge Shientag held that as a matter of law Vroom & Butler had not submitted to NBC anything which was new, novel and concrete. Vroom and Butler alleged that in 1937 they had submitted an idea concerning the use of understudies in a radio program, and that NBC had agreed to pay them $1,000 weekly for a minimum of 26 weeks above the cost of production if the idea were used.

The programs which Vroom and Butler complained of were four sustaining shows entitled "Rising Stars," which used talent furnished by the Understudy Club, an organization of young actors.

In directing a verdict for NBC, Judge Shientag found also that NBC had not entered into any contract with Vroom & Butler, and that there was no question to be submitted to the jury for consideration.

Gertrude Lawrence Unveils Painting

Gertrude Lawrence yesterday drew the strings which unveiled the Gainsborough portrait of Lord Nelson in the main foyer of the Music Hall, while W. G. Van Schmus, managing director of the theatre, looked on and numerous photographers went into action. It will remain on exhibit at the Music Hall during the engagement of Alexander Korda's "That Hamilton Woman," U. A. release.

F.C.C. Authorizes New Station in Pa.

WASHINGTON, April 2.—The Federal Communications Commission has granted the Butler Broadcasting Co. a construction permit for a new 680-kilocycle, 250-watt daytime station at Butler, Pa.

The commission also granted requests at Stations KOL, Seattle, Wash., for increase of night power from 1,000 to 5,000 watts, and WLOG, Logan, W. Va., for increase of power from 100 to 250 watts, and ordered hearings on the applications of the Colonial Broadcasting Corp. for a new 1,200-kilocycle, 250-watt station at Norfolk, Va., and Station WABY, Albany, N. Y., for change of frequency from 1,400 to 1,240 kilocycles.

Roosevelt to See Son's First Film

WASHINGTON, April 2.—James Roosevelt's United Artists' picture, "Pot o' Gold," will be shown at the White House tomorrow evening, in conjunction with the birthday celebration for Crown Princess Martha of Norway, a White House guest.

This will be the first view the President and his family will have had of the first production of his eldest son.

Esquire Films Adds 3

TORONTO, April 2. — Esquire Films, Ltd., (Canadian) distributor of British features, has appointed special representatives for three territories. Stanley Carscallen has been named sales representative for Ontario; E. A. Whelpley has been placed in charge of Quebec and the Maritime Provinces, and L. Druxerman of Manitoba, Saskatchewan and Alberta.

Shepard to Appear At FCC Hearings On Newspapers' FM

FM Broadcasters, Inc., at its annual meeting at the Hotel Roosevelt yesterday, authorized John Shepard III, president, to represent the organization at FCC hearings on newspaper ownership of FM stations. Although the board of directors will determine the final policy, the membership indicated yesterday that it was opposed to any discrimination against newspaper ownership.

Shepard, who heads the Yankee network, was reelected president and John V. L. Hogan, of WQXR, was reelected vice-president. Three directors whose terms expired, C. M. Jansky, Jr., Washington consulting engineer; Walter J. Damm, of the *Milwaukee Journal,* and Carl Meyers, of WGN, Chicago, also were reelected.

An informal meeting in the morning was attended by about 100 persons interested in FM. They heard Major Edwin H. Armstrong, developer of FM, discuss the newspaper ownership situation and the frequency allocation for studio-transmitter links. Armstrong stated that the allocation of 330 m.c. for such links limited their use to a maximum of 20 miles. In the afternoon, 40 members attended the annual meeting. Today a closed session will consider the possibilities of an FM network.

N. Y. Assembly Votes Approval of 2 Bills

ALBANY, April 2.—The New York Assembly, scheduled to adjourn late tomorrow, today passed by the Ehrlich child actor bill unanimously and the Davidson bill by a vote of 135 to 8.

The Ehrlich bill authorizes local boards of education to control child performances. Radio is given two hours per week exemption out of school hours for appearances on amateur programs originating in principal broadcasting studios, but otherwise child radio appearances are subject to educational authorities.

The Davidson measure prevents theatres from barring admission of anyone with admission ticket, and is designed to abolish the practice of barring critics from theatres after adverse comment. Film theatres were eliminated from the measure. The measures now go to the Senate.

Billboard Bill Defeated

ALBANY, April 2.—The Senate today defeated a bill to regulate outdoor advertising by a vote of 85 to 54.

Senator Frederic Coudert's bill to amend the ticket broker law so as to eliminate present inequalities against brokers was reported out of a Senate committee and advanced to a third reading for probable legislative passage tomorrow.

Assemblyman Harold Ostertag's employment agency bill, amending the labor law and repealing Article 11 of the General Business Law, passed the lower House today after debate.

Plans British Benefit

HAMILTON, O., April 2.—The Northio Paramount will play a special midnight show of "Cavalcade" April 15, the entire proceeds from which will be turned over to the local Bundles for Britain committee.

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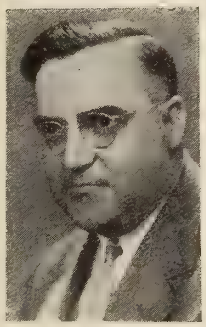
VOL. 49. NO. 66 NEW YORK, U. S. A., FRIDAY, APRIL 4, 1941 TEN CENTS

53 Features Are Scheduled By Monogram

Two Specials on List, Meeting to Be Told

HOLLYWOOD, April 3. — Monogram will schedule 53 features for the new season, W. Ray Johnston, president, disclosed tonight on the eve of the company's annual sales convention which opens here tomorrow at the Hollywood Roosevelt Hotel. The meeting will end Sunday.


W. Ray Johnston

Johnston said the program will include two specials; four "East Side Kid" productions; 24 Westerns, including eight

(*Continued on page* 8)

Group Off Today to Warner Premiere

More than 50 newspaper people leave here today to attend the world premiere of the Warner film, "The Great Lie," starring Bette Davis, at the Premier Theatre, Littleton, N. H., tomorrow evening.

With Mitchell Rawson, representing Warners on the trip, will be Ralph Budd, Larry Golob, Sidney Rechetnik, Gilbert Golden and Eva Siegel. Arrangements for the premiere and a birthday celebration in Littleton for Miss Davis have been made by William Brumberg, Isabelle Turner, Robert Williams and Phil Engel of the Warner publicity department.

Newspaper, magazine and radio representatives attending from New York

(*Continued on page* 8)

River Theatre Corp. Drops Trust Action

Anti-trust suit of the River Theatre Corp. against Skouras Theatres Corp. and all major companies except M-G-M and Universal was discontinued yesterday in U. S. District Court here without costs to any of the parties. No reason for the discontinuance was set forth. The plaintiff, as assignee of the Central Theatre in Pearl River, N. Y., brought suit charging the defendants with conspir-

(*Continued on page* 8)

English Production Drops Off Sharply

London, April 3.—Registrations of features under the British quota for the year ended March 31, last, disclosed only 42 features registered for the distributors' quota and only 23 for the exhibitors' quota. Of the group, 19 were double quota value and three triple quota.

Foreign films totaled 400. These figures compare with 393 features in the previous quota year, and 108 British features in all classifications.

NLRB Hears SPG Plea for Designation

WASHINGTON, April 3.—Counsel for the eight major companies and the Screen Publicists Guild today offered final oral argument before the N. L. R. B. on the demand of the Guild for designation as collective bargaining agency for employes in home office publicity and advertising departments.

Major point in dispute is the inclusion of free lance artists and employes in the foreign publicity departments in the bargaining unit. Six of the companies agreed that advertising copywriters, press book workers, fea-

(*Continued on page* 8)

Spring Weather Aids New Films on B'way; 'Hamilton' Is Leader

Broadway's new films got off to a strong start at openings yesterday as the city basked in its first real Spring weather which brought out throngs of Easter shoppers.

Leading the parade was "That Hamilton Woman" at the Radio City Music Hall, with the theatre's traditional Easter stage program. The day's gross was estimated at $13,300, which is very big.

Good openings were also reported for "Pot o' Gold" with a stage show at the Roxy and "The Bad Man" at the Capitol.

"The Sea Wolf" remains at the Strand for a third week starting today after a good second week's business estimated at $29,500. Charlie Spivak and his orchestra head the "in person" show there. Also con-

(*Continued on page* 8)

Schine Takes Over Houses in Ohio Town

BOWLING GREEN, Ohio, April 3.—Schine Theatres Co. has taken over this city's two film houses, it was announced by Clark M. Young, the former owner and operator. The Schine operating company here is Belpik Theatres Corp. Clark is retiring after 26 years during which he had a clear field as the city's only exhibitor.

Terms of the deal were not disclosed..

Amusement Bills to Lehman As Legislature Winds Up

ALBANY, April 3.—The Legislature, in clearing its decks for adjournment late tonight, sent to Governor Lehman several bills of interest to the amusement field.

The Ehrlich bill amends the statute concerning actors under 16 years and liberalizes the law to permit local school authorities to pass on their professional appearance on the stage or the radio.

A bill by Assemblyman William Andrews writes into the penal code a provision barring discrimination against admission to any public place for reasons of race, creed or color, and imposes a penalty for violation.

The Davidson measure forbids exclusion from theatres of persons 21 years or older holding tickets and not breaching the peace. It was amended

(*Continued on page* 8)

Phila. Theatre Files Clearance Complaint

PHILADELPHIA, April 3.—This territory's third arbitration case was filed here today by Rose Hexter, operator of the Breeze, Philadelphia, against Warners, Paramount and 20th Century-Fox, seeking a clearance adjustment. W. B. Circuit is also named.

The complainant theatre asks that its clearance be changed to seven days after the Savoia and Broadway, first-run Stanley-Warner houses in the same neighborhood. It now plays seven days after the Stanley-Warner Earl, and 35 days after the other houses, although the Breeze has the same admission and as many seats as the Earl, according to the complaint.

Selznick to Be Prominent On U.A. Roster

Scheduled for Two Films; U. A. Will Offer 20-22

HOLLYWOOD, April 3.—David O. Selznick, producer of "Gone With the Wind" and "Rebecca," which successively received Academy of Motion Picture Arts and Sciences best film awards, will be prominently listed by United Artists on its 1941-'42 roster.

David O. Selznick

Selznick will be scheduled for two films, as yet untitled, which officials say will be accorded special status. Altogether, it is reported, United Artists will offer 20 to 22 films for 1941-'42.

Alexander Korda will be listed for four.

James Roosevelt is not scheduled for the new roster, it is indicated.

Maurice Silverstone, chief of world-wide operations of United Artists, is expected here for conferences early next week. Arthur W. Kelly, vice-president in charge of distribution, is here now conferring with U. A. producers regarding the company's contemplated new sales plan for next season.

'Sis Hopkins' Opens In St. Louis Tonight

ST. LOUIS, April 3.—With a group of Hollywood players attending, Republic's "Sis Hopkins" will open at the Fox Theatre here tomorrow evening. Arriving by plane in the morning will be Judy Canova, star of the film; John Wayne, Ona Munson, Jerry Colonna, Mary Beth Hughes, Don Barry, Lois Ranson and James Ellison.

They will be greeted by city officials. The program, which will continue through Saturday, includes personal appearances by the players for the Greek relief drive, and the premiere proceeds will go to the Greek fund. The stars will appear on several radio programs during their stay here. Tomorrow has been proclaimed "Sis Hopkins Day" in this city by the mayor.

Housewives Win

Minneapolis, April 3

HOUSEWIVES won here when they appeared in opposition to the building of a new theatre by L. E. Goodman before the City Council License Committee. Business men favored the petition, on the ground that the district could use another house, but the housewives, loyal to Harry Dickerman, operator of the Northtown and Alhambra, opposed competition for him. The petition was defeated 4 to 3.

Ampa Jubilee Ball At Edison Tonight

With more than two score of celebrities from every part of the amusement world scheduled to make appearances, Ampa will hold its Silver Jubilee Ball and Entertainment in the Grand Ballroom of the Hotel Edison tonight. The celebration will mark 25 years of Ampa's existence.

Acting as masters of ceremonies will be Graham McNamee, Universal Newsreel announcer; Andre Baruch, Pathe News announcer; Bill Slater, Paramount News announcer; Ed Sullivan, *Daily News* columnist, and James Dunn, who is now appearing in "Panama Hattie."

Committees on arrangements are:

Souvenir book: Martin Starr, Hap Hadley, James Cunningham.

Purchasing: Charles J. Sonin, Dave O'Malley, chairman, Charles Alicoate, Charles J. Sonin. Ticket sales: Edward Schreiber, chairman. Reservations, tables and boxes: Edward Schreiber, H. M. Richey, Jules Zeigler.

Entertainment: Rutgers Neilson, chairman; Martin Starr, William Ferguson, Jules Zeigler, Irving Kahn, Phil Laufer, Bernard Randall, Josef Zimanich.

General arrangements: H. M. Richey, chairman; Jules Zeigler, vice-chairman; Jeanette Sauer, Paul Lazarus, Jr.

Publicity: Martin Starr, Herbert Berg, Hortense Schorr, Columbia R. Sileo.

Decorations: Vincent Trotta, Paul Lazarus, Jr. Advertising: Si Seadler. Reception: Eli Sugarman, Blanche Livingston, Vincent Trotta.

Lindy's INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Personal Mention

STANTON GRIFFIS, chairman of Paramount's executive committee, has abandoned plans for a Coast visit and will leave for Mexico tomorrow for a month's vacation.

•

NATE SPINGOLD is due Monday from Columbia studio conferences.

•

JAMES ROOSEVELT arrived from Washington yesterday and will leave for the Coast this weekend.

•

R. J. O'DONNELL left New York yesterday for Dallas.

•

BEVERLY SCHNITZER, daughter of MR. and MRS. EDWARD M. SCHNITZER, has become engaged to OWEN LIGHTSTONE of Montreal. SCHNITZER is Warners' Eastern district manager.

•

SAM RINZLER, WALTER GOULD, HARRY COSMAN, SEYMOUR POE, MORRIS HELPRIN, AL MARGOLIES, PAUL DANSON and EMANUEL SILVERSTONE having lunch at Lindy's (next to the Rivoli) yesterday.

•

RICHARD PEFFLEY, manager of the Northio Strand, Middletown, O., this week became the father of a girl, born to MRS. PEFFLEY at the Middletown Hospital.

ABE MONTAGUE, Columbia sales chief, is due back today from a Florida vacation.

•

J. ROBERT RUBIN, vice-president and general counsel of Loew's, is expected back from the Coast early next week.

•

HARRY GOLD, JAMES MULVEY, HASKELL MASTERS, CHARLES STERN, HARRY BRANDT, ABE SCHNEIDER, RUBE JACKTER and EDWARD PESKAY at Lindy's (51st St.) yesterday for lunch.

•

HERMAN ROBBINS, TOM CONNORS, MAX A. COHEN, KARL HOBLITZELLE, SAM SHAIN, JOSEPH SEIDER, JACK BOWEN, MAX SCHLESINGER, LOUIS FRISCH, MILTON WEISMAN, ROBERT WEITMAN, IRVING BERLIN, ED SAUNDERS and SIDNEY PHILLIPS lunching yesterday at Nick's Hunting Room in the Astor.

•

WILLIAM A. SCULLY, PAUL BENJAMIN, JOSEPH MALCOLM, DAVE LEVY, LOU POLLOCK and LEON FROMKESS lunching yesterday at the Tavern.

•

ADOLPH ZUKOR, BARNEY BALABAN, GEORGE SKOURAS, LOUIS PHILLIPS, A. P. WAXMAN, JOHN GOLDEN, MOSS HART, MONROE GREENTHAL and JOHN D. HERTZ, JR., at Sardi's for lunch yesterday.

Hadley H. Hull Dies; 'U' Indianapolis Head

INDIANAPOLIS, April 3.—Hadley H. Hull, 49, Universal branch manager here, died yesterday after a heart attack while he was at the Indiana Theatre, Bloomington, Ind. Funeral services will be here at 2 P. M., Saturday, with burial in Martinsville, Ind., where he resided. He is survived by his wife.

Acting manager for some time previously, Hull was named branch head in February. He joined Universal about a year ago, but worked for the company before. He also was with RKO and Grand National. He was a captain of infantry during the World War and served overseas.

E. T. Gomersall, Universal sales official, arrived today from New York.

Warner Executives Due from Hollywood

Gradwell Sears, Warner general sales manager; Carl Leserman, his assistant, and Mort Blumenstock, Eastern advertising and publicity head, are due from Coast conferences tonight or tomorrow. Edward M. Schnitzer, Roy Haines and Arthur Sachson have already returned.

Hovell Party Chairman

A. A. Hovell, operating head of Century Circuit and president of the Anvil Chorus, an organization of prominent Brooklynites, is in charge of arrangements for the club's annual dinner, set for April 26 at the Waldorf-Astoria.

Freeman at Studio

HOLLYWOOD, April 3.—Y. Frank Freeman, Paramount production chief, returned to the studio today after a two weeks' business trip in the East.

Film Trade Escapes Maryland Legislation

BALTIMORE, April 3.—The Maryland legislature adjourned without enacting any unfavorable film legislation. Two motion picture measures were defeated in the last days of the session.

A measure to increase censor fees from $2 to $3 per reel on originals and $1 to $2 on duplicates was defeated. It is estimated the measure would have cost distributors an additional $46,000 annually.

A bill to empower the censor board to designate motion pictures as either suitable or unsuitable for children under 16 years also was defeated.

U. A. Will Observe Gould's 15th Year

Walter Gould, head of the United Artists' foreign department, will observe his 15th anniversary with the company on Sunday. Gould joined United Artists in 1926 as treasurer in the company's Cristobal office. He will be presented a bound volume containing congratulatory messages from company executives, producers and producers' representatives.

Greek Benefit in Chicago

CHICAGO, April 3.—The Greek benefit show at the Civic Opera House here last night was reported as highly successful by John Balaban and Jack Kirsch, co-chairmen of the benefit. Jack Benny was master of ceremonies. All concerned donated their services.

Skouras Home Burns

RYE, N. Y., April 3.—Fire yesterday destroyed the Summer home on Greenhaven Road here of George P. Skouras. Skouras estimated the loss at $70,000.

Newsreel Parade

DEFENSE is again the chief topic as the new issues focus attention on the strike situation. Troop maneuvers, too, are observed. The contents:

MOVIETONE NEWS, No. 60—Strike in Milwaukee. British occupy Bengazi. Maneuvers at Fort Knox. Red Cross nurses stage fashion show. Dog show in Chicago. Racing at Agua Caliente. Surf carnival in Australia.

NEWS OF THE DAY, No. 258—Labor strikes halt defense work. Army displays mechanized might. Roosevelt at Florida army camp. British victory in Africa. Fashions in lace. Racing at Agua Caliente.

PARAMOUNT NEWS, No. 63—Trout season opens. Easter eggs colored in Baltimore. Marshal Petain visits French industrial area. Mussolini meets Franco. Ocean liners to be used as army transports. Rebuilt guns for Greece. Maneuvers at Fort Knox. The strike situation around the country.

RKO PATHE NEWS, No. 63—Strike riots and conferences. Roosevelt reviews troops at Fort Jackson. Washington defense workers get trailer homes. Matsuoka leaves Japan for Axis tour. Hog raising in England to offset meat shortage. Swimming championships in Lansing. Powder Puff Derby at Agua Caliente.

UNIVERSAL NEWSREEL, No. 968—Strike riots at Milwaukee factory. War games at Fort Knox. Trailer homes for Washington defense workers. Roosevelt at Fort Jackson. Easter hats on display. Easter chicks shipped from New Brunswick. Girl jockeys in Agua Caliente race. Pennsylvania boys in boxing bouts. Girls wrestle in New Jersey.

Will Hays to Coast; To Confer on 'Outlaw'

Will H. Hays is en route to the Coast for a brief business visit, during which he is scheduled to confer with Howard Hughes and Joseph I. Breen on the disputed issuance of a Production Code seal for the former's new production, "The Outlaw."

The Hughes picture, originally scheduled for release by 20th Century-Fox on March 21, has been held up by the refusal of the Production Code Administration in Hollywood to issue a seal for the picture in its present form.

Hays, it is said, will endeavor to expedite release of the picture by seeking an agreement on the changes to be made. If he is successful, an appeal from the Code Administration's denial of a seal, which has been suggested already to the MPPDA board of directors, would be unnecessary.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Farley and Quigley Schenck Witnesses

Former U. S. Postmaster General James A. Farley spoke highly of the reputation of Joseph M. Schenck for honesty and integrity, terming it "excellent," in testifying yesterday as a character witness in the Government trial of Schenck and Joseph H. Moskowitz. Farley said he has known Sch[illegible] for 10 years.

F[illegible]wing Farley, Martin Quigley was called as a character witness and testified to the good reputation of Moskowitz. As the originator of the Production Code, he was questioned by Harold H. Corbin, defense attorney, as to whether Schenck had cooperated and supported him in the introduction and development of the Code work. Quigley stated Schenck did cooperate in and support the Code work.

Myron A. Fink, an accountant, testified that Schenck in March of this year had filed a claim with the Government for $202,621 refund on his 1937 income tax. This sum is claimed because Schenck contends that the tax was paid out of a payment of capital from his company and not from surplus.

Lester Mohme, Mexican manager for 20th Century-Fox, testified that a visit paid by Schenck to Mexico was for business purposes and not for pleasure. Trial closed for the day with Moskowitz taking the stand in his own defense. He stated that it was impossible to accurately estimate what expenses were for business, and that a fair percentage had been computed. He will continue on the stand today.

Fear Less American Revenue in Balkans

WASHINGTON, April 3.—While the war had no affect on Yugoslavia's film business during 1940, according to a U. S. Department of Commerce report, it is feared that with the imminent spread of hostilities, the entire Balkan region will return much less revenue to American companies, if any.

Following the outbreak of Europe's war in September, 1939, the Yugoslavian National Bank, from which import permits were required, became less liberal in allowing permits. Under regulations prescribed by the Minister of Commerce and Industry the control of production, import and general trade in motion pictures is in the hands of a State Film Central.

Theatres are obliged at every performance to show one or more films of a cultural nature. There are 378 film houses in the country, with a seating capacity of 122,860.

Name 3 New Canada Film Board Members

OTTAWA, April 3.—Dr. George Bouchard, Deputy Minister of Agriculture, has been appointed to the National Film Board, in place of R. S. Hamer, whose term has expired.

Commander C. P. Edwards, Deputy Minister of Transport, succeeds the late Col. V. I. Smart, while Professor Donald Cameron of the University of Alberta replaces Dr. Walter Morray of Saskatchewan University, whose term also has expired.

Feature Reviews

"The Great Lie"

(Warners)

ONCE more Bette Davis proves herself to be one of the first ladies of the screen, offering a finely etched portrayal of a woman beset by a series of emotional crises, and, carrying through her role with complete confidence, making it entirely convincing.

The picture is entertainment of the more mature and dramatic sort, and accomplished with finesse and a high degree of skill in every department. It is in general what is occasionally referred to as a "woman's picture," but rather it should be characterized as entertainment with appeal for adults, resting securely in the category of distinguished motion pictures. Is selling should concentrate on Miss Davis and her fine performance, with due regard to the other marquee names in the cast, and the appeal of strong drama.

There are times when the pace appears to lag for brief periods, a condition which judicious editing might well have eliminated, but on the whole Edmund Goulding, in his direction, has served to maintain a high degree of suspense and presents a dramatic photoplay which holds the interest. Henry Blanke was associate producer, with Hal B. Wallis as executive producer.

Providing most able support are George Brent, Mary Astor and Hattie McDaniel. From a novel by Polan Banks, the story creates for Miss Davis, on her Maryland plantation, her first crisis when Brent, with whom she is in love, marries the beautiful and famous concert pianist, Miss Astor, when unaware of what he is doing. When he discovers the marriage to be illegal, he returns to Miss Davis, but when he realizes the duty he owes Miss Astor he returns. Miss Astor refuses his offer and he marries Miss Davis. After Brent is reported missing on a plane flight across Brazil, Miss Astor is persuaded by Miss Davis to let her take the child she is about to bear.

The picture reaches its highlight as the two women, hating each other, wait for the birth of the child in a lonely Arizona cottage. Miss Astor resumes her music career and Miss Davis takes the child as her own. But when Brent unexpectedly reappears, Miss Astor, still loving him, forces Miss Davis to tell the truth about the child. Brent sticks by his wife, and Miss Astor renounces her child to them.

Running time, 107 minutes. "A."* CHARLES S. AARONSON

"A" denotes adult classification.

"In Old Cheyenne"

(Republic)

THIS all-action Western melodrama has Roy Rogers and Gabby Hayes in the top roles, supported by Joan Woodbury, Sally Payne, J. Farrell MacDonald and a number of less important players, all performing well. Joseph Kane was associate producer and director.

The screenplay calls for a maximum of gunplay and hard riding. Some splendid night shots of the latter are included. The film on the whole is substantial outdoor fare and rates above the average Rogers and Hayes level in spite of a few minor inconsistencies. These include the unconvincing ease with which robberies are staged and the fact that all the characters are invariably standing, or riding, after an incessant flow of bullets.

The tale concerns itself with the usual skullduggery and has Rogers in the role of newspaper reporter from the East and Hays as cattle rancher fighting for his rights but mistaken as an outlaw.

Running time, 58 minutes. "G."*

"Boss of Bullion City"

(Universal)

JOHNNY MACK BROWN and the standard assortment of Western badmen are continuously engaged in battle here. The hero adjusts the usual problems of lawlessness in what is called Bullion City and in so doing is repeatedly forced into combat with a heavy adversary. The latter invariably regrets the tussle.

The action-laden screenplay has Brown establishing a newspaper which is to fight for justice. The crooked sheriff doesn't like the idea and with his aides tries to discourage it. They are unsuccessful, of course.

Ray Taylor directed with the accent on speed. The supporting cast includes Fuzzy Knight, Maria Montez, Nell O'Day, Harry Woods and Melvyn Lang. It all adds up to satisfactory outdoor fare.

Running time, 59 minutes. "G."*

"G" denotes general classification.

Phila. Bans Cooking School at Theatres

Philadelphia, April 3.—Cooking schools at matinees of local film houses today were declared illegal lotteries because of the door prize feature. Police this afternoon raided Warners' Sedgwick when household appliances and women's apparel were awarded to winning ticket holders. The police contend this was similar to chance games. The cooking sessions, sponsored by the *Philadelphia Record*, have been conducted twice weekly at Warner neighborhood houses. Similar schools are being operated at Pittsburgh theatres.

'Nice Girl' Garners $9,600, Kansas City

KANSAS CITY, April 3. — "Nice Girl?" at two theatres took a total of $9,600, with $3,900 at the Esquire and $5,700 at the Uptown in 11 days. "The Sea Wolf" drew $8,700 at the Newman.

Estimated receipts for the week ending March 25-27:

"Nice Girl?" (Univ.)
ESQUIRE—(800) (28c-44c) 11 days. Gross: $3,900. (Average, 11 days, $3,450)
"The Great Dictator" (U. A.)
"Meet Boston Blackie" (Col.)
MIDLAND — (4,000) (28c-44c) 7 days. Gross: $7,500. (Average, $9,500)
"The Sea Wolf" (W. B.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $8,700. (Average, $7,000)
"Strawberry Blonde" (W. B.)
"Texas Rangers Ride Again" (Para.)
ORPHEUM—(1,500) (28c-44c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)
"Meet the Chump" (Univ.)
TOWER—(2,200) (30c) 7 days. Stage: Matty Malneck's Orchestra and Show. Gross: $5,300. (Average, $6,000)
"Nice Girl?" (Univ.)
UPTOWN — (2,000) (28c-44c) 11 days. Gross: $5,700. (Average, 11 days, $4,700)

CEA to Press Fight For Reserve Listing

LONDON, April 3.—The general council of the Cinematograph Exhibitors Association, at its meeting at Nottingham later this month, will press its demand that the Government place the film industry in the category of essential industry, with relation to military service of employes, and that industry manpower be placed in the reserve occupation grouping. The London and Home Counties Branch of the CEA is taking the initiative in the move.

Daylight Saving Bill Killed in Wisconsin

MADISON, Wis., April 3.—After five attempts to enact the Murray Daylight Saving Time bill in Wisconsin, the measure was finally killed by the state Senate today by a vote of 18 to 12. The measure would have permitted local option in the state on the use of Daylight Saving Time.

Drive Leaders Back

Harry Michalson, RKO short subjects sales manager, and Leo Devaney, captain of the current Ned Depinet Drive, arrived by plane from Chicago last night after a tour of exchanges in connection with the drive.

BETTE DAVIS
AND
Birthday
It's BETTES
BIRTHDAY
and OUR PARTY
AP

ANOTHER WARN

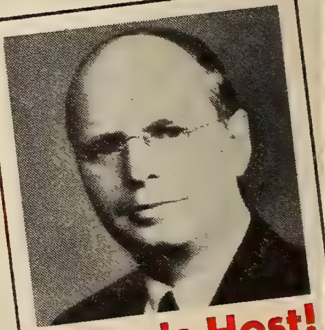
To Bally 'THE GREA

Two Big Special Trains carrying the correspondents covering

BETTE'S BIRTHDAY PARTY

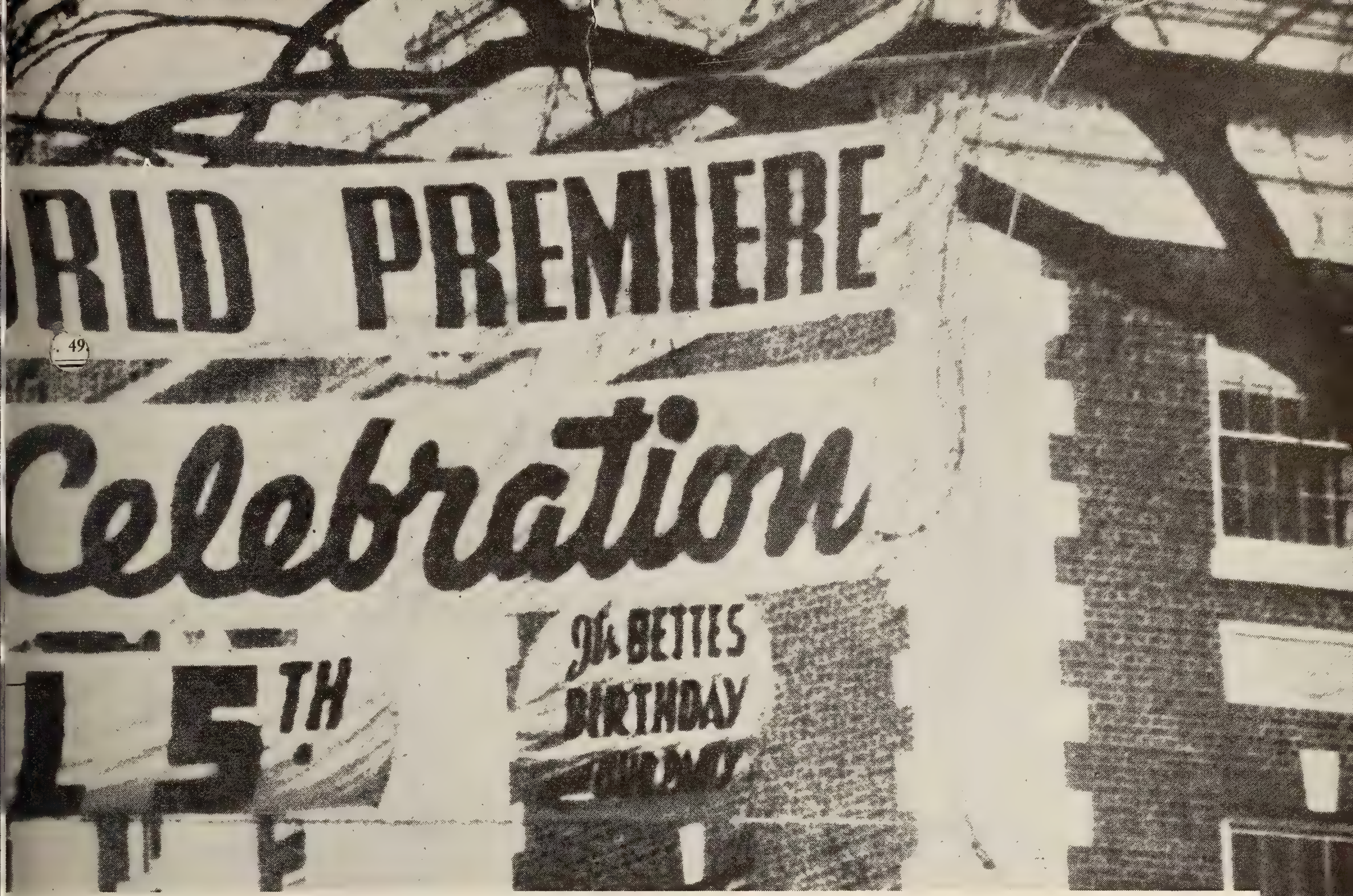
AT LITTLETON, N. H.

Every newspaper syndicate will cover! So will critics, photographers, magazine editors from New York, Boston, Philadelphia, Providence, Washington, Pittsburgh, etc. So will 2 newsreel crews! All in addition to the continual bombardment of radio broadcasts!



Bette's Host!
Governor Robert O. Blood of New Hampshire will personally preside over the entire 2-day celebration!

BETTE DAVIS
in
"THE GREAT LIE"
with
GEORGE BRENT
MARY ASTOR
LUCILE WATSON
HATTIE McDANIEL
Directed by
EDMUND GOULDING
Screen Play by Lenore Coffee
From a Novel by Polan Banks
Music by Max Steiner


RLD PREMIERE
Celebration
L 5TH
Bettes
Birthday

R WONDER-STUNT!

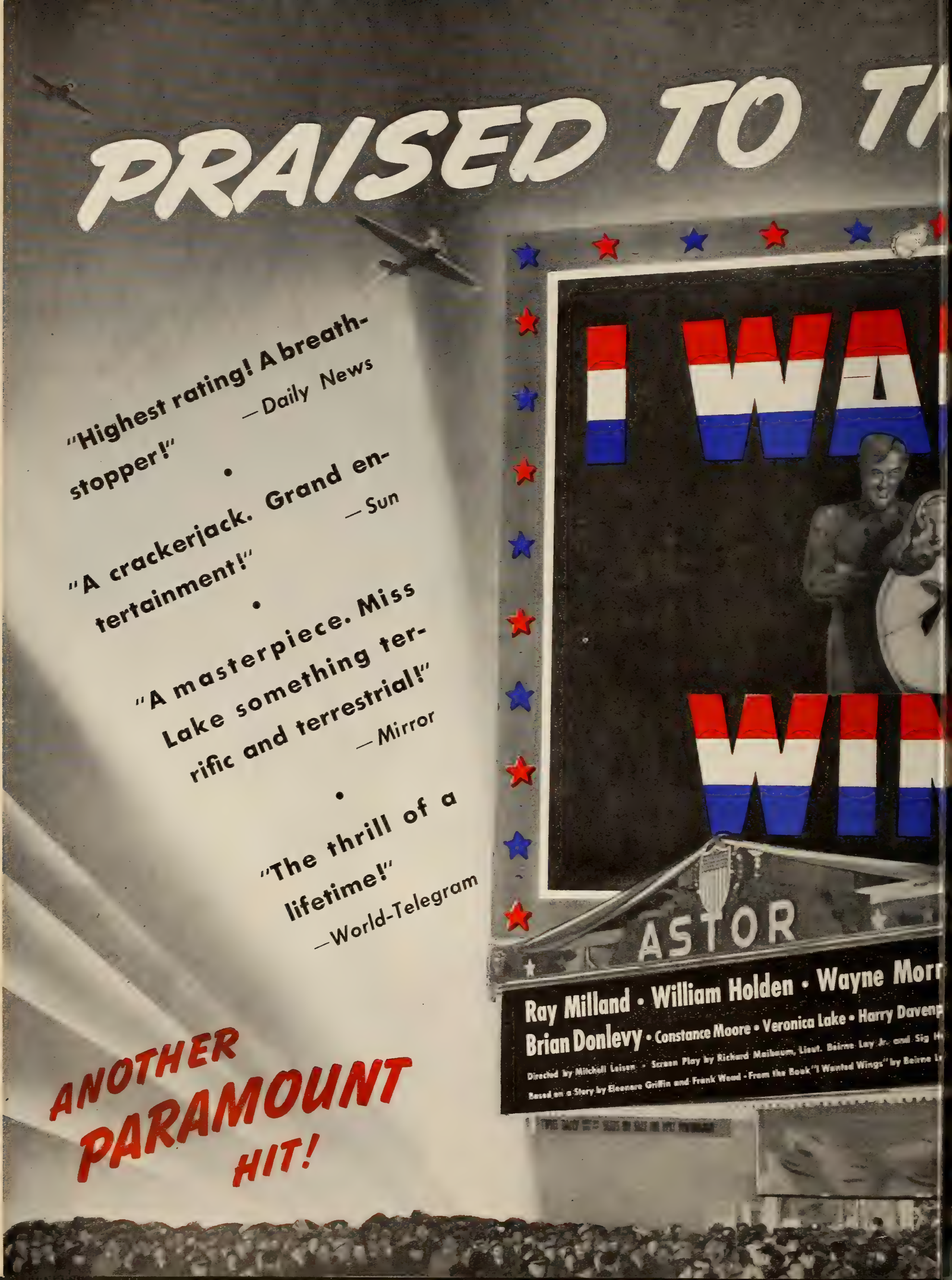
E' to the Easter Sky!

N THE AIR from Bette's home town, Littleton, New Hampshire

RIDAY, SATURDAY, SUNDAY!

NBC at 9:30 p.m. Friday!
Colonial Network & Mutual Hookups, 7:40 p.m. Saturday

Also Birthday Greetings broadcast to Bette by most of the top radio shows all through the weekend!



PRAISED TO T

"Highest rating! A breath-stopper!" —Daily News

•

"A crackerjack. Grand entertainment!" —Sun

•

"A masterpiece. Miss Lake something terrific and terrestrial!" —Mirror

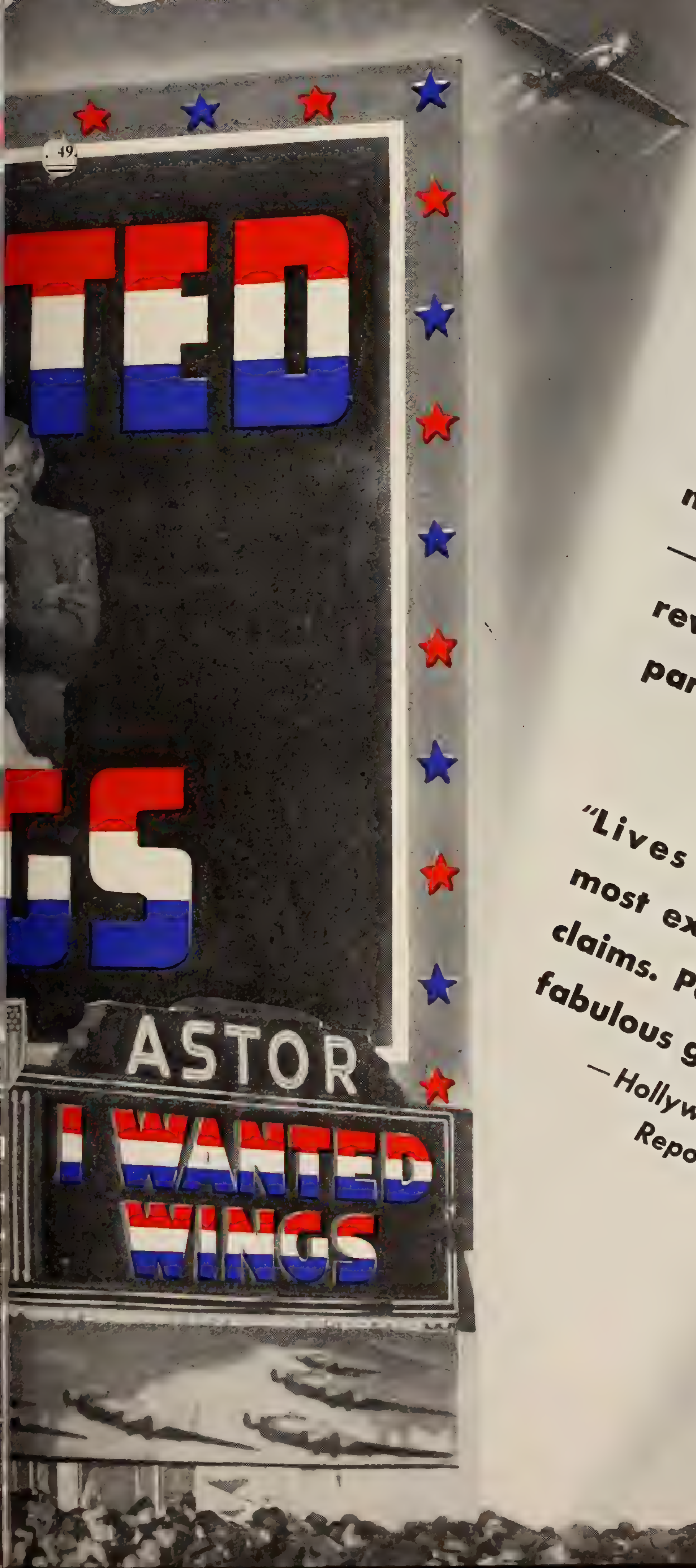
•

"The thrill of a lifetime!" —World-Telegram

ANOTHER PARAMOUNT HIT!

Ray Milland • William Holden • Wayne Morr
Brian Donlevy • Constance Moore • Veronica Lake • Harry Davenp
Directed by Mitchell Leisen • Screen Play by Richard Maibaum, Lieut. Beirne Lay Jr. and Sig H
Based on a Story by Eleanore Griffin and Frank Wead • From the Book "I Wanted Wings" by Beirne L

SKIES!



"Should ride the box office crest!"
—Film Daily

•

"A showmanship natural of the highest order. Entertainment value of smash proportions!"
—M. P. Daily

•

"Takes off from where most of the others landed—and zooms. Potential revenue ceilings comparably unlimited!"
—Boxoffice

•

"Lives up to the most extravagant claims. Poised for fabulous grosses!"
—Hollywood Reporter

53 Features Are Scheduled By Monogram

(Continued from page 1)

reissues, and 23 general features, including three reissues.

The two specials are "Land of the Sky Blue Water," an original story based on the song by Charles Wakefield Cadman, and "Navy Bound," a Talbert Josselyn story.

Other titles on the schedule are: "Ghosts in the Night," first of the four "East Side Kids" pictures, with Bela Lugosi; "Aunt Emma Paints the Town"; two other Bela Lugosi films, "The Night of Horror" and "Kiss of Death"; "The Spy," an adaptation from the James Fenimore Cooper novel; "Trail of the Wolf," a Jack London story; "You Can't Beat the Law," "Sweetheart of the Campus," "Top Sergeant Mulligan," "Down Memory Lane" and "Here Come the Marines."

Schedule Curwood Story

Also on the lineup are: "God's Country and the Law," from the James Oliver Curwood story; "False Colors," "Sunshine Sal," "Law of the Jungle," "Isle of Lost Men," "Man from Headquarters"; "The Fighting Cadet," "Hill-Billy Willie," "Li'l Louisiana Lady," and "Flame Fighters."

Three reissues scheduled are "Hoosier Schoolboy," with Mickey Rooney; "Boy of the Streets," with Jackie Cooper, and "Siren of the South Seas," with Movita.

The Western group will include eight "Range Busters," with Ray Corrigan, John King and Max Terhune, a new series with Buck Jones and the "Rough Riders," and eight John Wayne reissues.

Franchise holders and exchange heads here for the meeting, in addition to those listed in MOTION PICTURE DAILY yesterday, include: Nathan Sodikman, Albany; Ed Blumenthal and John Franconi, Dallas; F. E. Judd, Des Moines; William Hurlbut, Detroit; William Benjamin, Kansas City; Howard Stubbins, Los Angeles; Harry H. Thomas, New York; Carr Scott, Oklahoma City; S. J. Francis, Omaha; George West and Robert Taylor, St. Louis; Mel Hulling, San Francisco, and L. T. Fidler, Denver.

Officials Attending

Company executives in addition to Johnston who will attend are Samuel "Steve" Broidy, general sales manager; Herman Rifkin, vice-president; Ray E. Young, treasurer; Joseph Lamm, comptroller; Louis Lifton, advertising and publicity director; John S. Harrington, Lloyd Lind, Russell Bell, Norton Ritchey, J. P. Friedhoff, Trem Carr, Scott Dunlap, Lindsley Parsons, I. E. Chadwick, Edward Finney, George Weeks, Samuel Katzman and Paul Malvern. William Gell, managing director of Pathe Pictures, Ltd., London, is attending the convention.

The company's contract players will greet the delegates at the opening session tomorrow.

The convention will wind up Sunday with a "western day" sponsored by George Weeks, producer, at the "Range Busters" ranch.

State Department Concerned Over South American Film Relations

Washington, April 3.—Rep. Louis C. Rabaut, of Michigan, today disclosed during debate in the House on the U. S. State Department's appropriation bill for next year that the showing of the picture, "Mr. Smith Goes to Washington," had caused the Department concern.

"This industry," said Rabout, "as an agency, has been most alert to the war situation and has used its strategic position to influence public opinion. Equal devotion demands a conduct of their enterprises, especially with our neighbors to the South, as to preserve at least the goodwill of the few remaining countries with whom we have cultural relations."

Spring Weather Aids New Films on B'way; 'Hamilton' Is Leader

(Continued from page 1)

tinuing is "Meet John Doe," which finished its third week at the Rivoli with about $20,000. The film bowed out of the Hollywood Tuesday night.

"That Night in Rio" with a stage bill brought the Roxy about $22,000 in its last five days. "Topper Returns" did about $18,200 in a week at the Capitol. "Adam Had Four Sons" and a stage show completed a week at the Music Hall with an estimated $68,000.

The 14th and final week of "Night Train" at the Globe is estimated to draw $5,000. "Submarine Zone" starts at the Globe tomorrow. This is a Columbia picture released by the company in 1940 as "Escape to Glory." It was reviewed in MOTION PICTURE DAILY Nov. 22, 1940.

'Hardy' Captures $16,700 in Buffalo

BUFFALO, April 3.—"Andy Hardy's Private Secretary" and "Murder Among Friends," at the Buffalo Theatre, drew $16,700.

Estimated receipts for the week ending March 29:

"Andy Hardy's Private Secretary" (M-G-M)
"Murder Among Friends" (20th-Fox)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $16,700. (Average, $12,000)
"The Great Dictator" (U. A.)
"Cherokee Strip" (Para.)
GREAT LAKES—(3,000) (30c-55c) 7 days, 2nd week. Gross: $7,500. (Average, $7,500)
"The Lady Eve" (Para.)
"You're The One" (Para.)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $5,300. (Average, $6,800)
"Vivacious Lady (RKO)
"The Fargo Kid" (RKO)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $7,100. (Average, $7,500)
"Buck Privates" (Univ.)
"Double Date" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days. "Privates" 2nd week. Gross: $9,000. (Average, $6,300)

Bills to Lehman as Session Winds Up

(Continued from page 1)

earlier in the week to exclude film houses.

The Coudert bill, an amendment to last year's Mitchell ticket broker law, exempts the charging of more than 75 cents by a broker if the broker cannot return the tickets.

An employment agency bill, which includes theatrical agencies, seemed unlikely of final passage.

Senator Bewley's bill, modeled after the Maryland law, which would impose an inspection fee on 16mm. films twice that for 35mm. films passed the Senate and was reported out.

Group Off Today to Warner Premiere

(Continued from page 1)

include: Bosley Crowther, New York *Times*; Lee Mortimer, *Mirror*; Frank Farrell, *World-Telegram*; Archer Winsten, New York *Post*; Lionel Moise, King Features; Leo Dolin, International News Service; L. L. Stevenson, Bell Syndicate; George Tucker, Associated Press; Joan Younger, United Press; Judy Chase, *Life*; Kenneth McCaleb, Sunday *Mirror*; Wade Nichols, Guide Group; Lester Grady, *Silver Screen*; Evelyn Van Horn, Dell Publication; May C. Kelley and Elizabeth Lockwood, Ideal Publications; Sarah Corpening, Fawcett Publications; Ann Marsters, Chicago *Herald American*; Dick Fortune, Pittsburgh *Press*; and Peter Kalischer, *Glamour*; Herbert Cohn, Brooklyn *Eagle*; Leonard Lyons, New York *Post*; Harold Conrad, Brooklyn *Eagle*; Jay Carmody, Washington *Star*; Bernie Harrison.

Among the trade paper representatives are: Jack Harrison, *Hollywood Reporter*; James Cunningham, *Motion Picture Herald*; Maurice Kann, *Boxoffice*; Ralph Cokain, *Showmen's Trade Review*; James P. Dalton, Jay Emanuel Publications; Sherwin Kane, MOTION PICTURE DAILY, and Al Steen, *Film Daily*.

From Boston, headed by Norman Ayers, the company's branch manager, and Lee Blumberg, home office publicity department, the following group will leave: Peggy Doyle, *American*; Helen Eger, Boston *Traveler*; Charles Howard and Marjory Adams, *Globe*; Joyce Daynor, *Record*; Prunella Hall, *Post*; Mary Elizabeth Prim, *Transcript*; Larry Dame, *Herald*; Garrett Byrnes, Providence *Journal*.

River Theatre Corp. Drops Trust Action

(Continued from page 1)

ing to impose unreasonable clearance. The complaint had sought an order requiring the defendants to impose no more than seven days' clearance on the plaintiff's house.

Filed Arbitration Complaint

River Theatre Corp. on March 7 filed a demand for arbitration with the New York local board charging Paramount, 20th Century-Fox, Warners, Loew's and RKO with enforcing unreasonable clearance schedules against it.

The complainant operates the Central at Pearl River, N. Y., and states that the Pascack, Westwood, N. J., has 49 days clearance over it. An arbitration finding that the Central is entitled to play day and date or a maximum of seven days behind the Pascack is sought.

NLRB Hears SPG Plea for Designation

(Continued from page 1)

ture writers, contact men, exploitation employes and production men were properly included in the u[illegible] but Loew's refused to concede that [illegible]loitation men should be included and Warners opposed all suggestions.

Counsel for the S. P. G. contended that 75 per cent of publicity material represents the work of artists and that the conditions under which free-lance artists work are so similar to those for the salaried artists that the former should be considered employes. Company counsel took the position that the free-lance artists are independent contractors, employed to do a specific piece of work, and that since they may and frequently do accept work from several companies they could not be considered the employes of any one.

It was also urged that the work of employes on foreign publicity differs from that of the rest of the department to such an extent that employes engaged in this work should not be regarded as members of the unit.

'Hardy' St. Louis Best with $13,800

ST. LOUIS, April 3. — While the city wound up an intensive municipal campaign, grosses were off. "Andy Hardy's Private Secretary" led with $13,800 at Loew's State.

Estimated receipts for the week ending March 27:

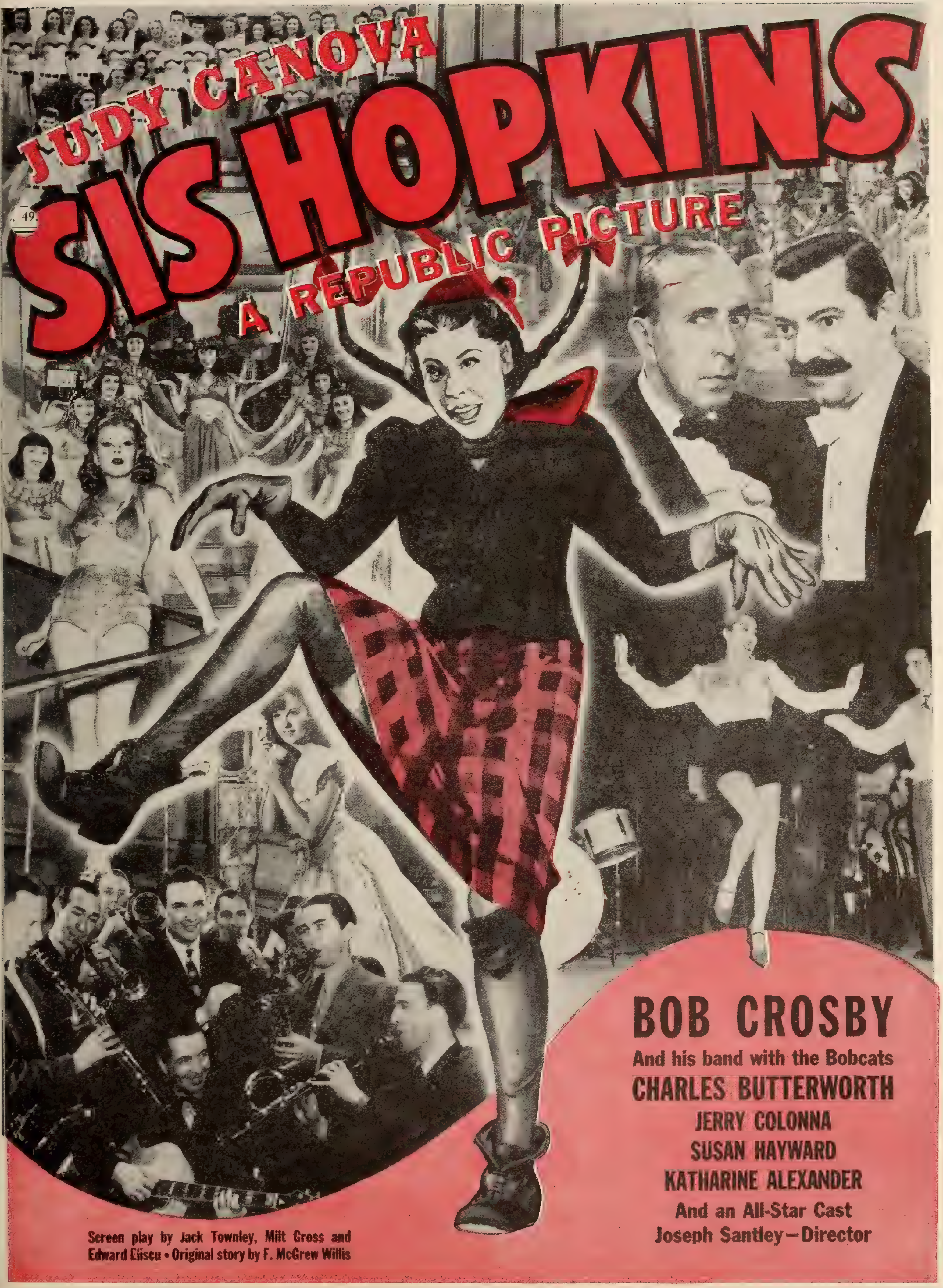
"Andy Hardy's Private Secretary" (M-G-M)
"Free and Easy" (M-G-M)
LOEW'S STATE — (3,162) (28c-39c-44c-56c) 7 days. Gross: $13,800. (Average, $13,000)
"Strawberry Blonde" (W. B.)
"High Sierra" (W. B.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,300. (Average, $4,000)
"Ride, Tenderfoot, Ride" (Rep.)
"Bowery Boy" (Rep.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,100. (Average, $2,600)
"The Lady Eve" (Para.)
"You're the One" (Univ.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $9,500. (Average, $11,500)
"The Sea Wolf" (W. B.)
"The Great Mr. Nobody" (W. B.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $8,100. (Average, $11,000)

RKO Reissues Film

RKO will reissue "Bringing Up Baby," comedy co-starring Cary Grant and Katharine Hepburn. National release date is May 2.

New Ice Show and Play Open Tonight

The second and enlarged edition of "It Happens on Ice" opens tonight at the Center Theatre. Also opening is a new comedy, "Your Loving Son," by Abby Merchant, at the Little Theatre. Jay Richard Kennedy produced the play in association with Alfred Bloomingdale and Joseph F. Loewi. Jessie Royce Landis, Jay Fassett and Frankie Thomas play the leads.


JUDY CANOVA
SIS HOPKINS
A REPUBLIC PICTURE

BOB CROSBY

And his band with the Bobcats

CHARLES BUTTERWORTH

JERRY COLONNA

SUSAN HAYWARD

KATHARINE ALEXANDER

And an All-Star Cast

Joseph Santley—Director

Screen play by Jack Townley, Milt Gross and Edward Eliscu • Original story by F. McGrew Willis

'Nice Girl?' Takes $16,000 in Capital 'Hardy' at $6,500

WASHINGTON, April 3. — "Nice Girl?" stood out with $16,000, leading a so-so week. "Andy Hardy's Private Secretary" drew $6,500 at Loew's Columbia.

Estimated receipts for the week ending March 26-27:

"Footsteps in the Dark" (W. B.)

WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Carlos Molina and his orchestra, Lathrop Bros. and Virginia Lee, Gene Sheldon, Ramon Noval, LaConga Dancers. Gross: $14,300. (Average, $15,000)

"Nice Girl?" (Univ.)

RKO-KEITH'S—(1,834) (39c-55c) 7 days. Gross: $16,000. (Average, $7,500)

"Topper Returns" (U. A.)

LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Benny Davis and his Star Dust Revue. Gross: $15,500. (Average, $15,500)

"Andy Hardy's Private Secretary" (M-G-M)

LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days. Gross: $6,500. (Average, $4,500)

"High Sierra" (W. B.)

WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days. Gross: $4,200. (Average, $4,500)

"The Great Dictator" (U. A.)

LOEW'S PALACE — (2,300) (39c-55c) 7 days, 2nd week. Gross: $10,500. (Average, $10,000)

'John Doe' $9,600 Indianapolis Lead

INDIANAPOLIS, April 3.—"Meet John Doe" brought $9,600 to the Circle and was held. "Come Live With Me" and "The trial of Mary Dugan" took $8,000 at Loew's. Competition was heavy, with both "It Happened on Ice" and a Sportsmen's Show in town.

Estimated receipts for the week ending March 26-28:

"Meet John Doe" (W. B.)

CIRCLE—(2,800) (35c-44c-55c) 7 days. Gross: $9,600. (Average, $6,000)

"A Girl, a Guy and a Gob" (RKO)

"Scattergood Baines" (RKO)

INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $4,000. (Average, $6,000)

"Come Live With Me" (M-G-M)

"The Trial of Mary Dugan" (M-G-M)

LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $8,000. (Average, $7,000)

"Murder Among Friends" (20th-Fox)

LYRIC—(2,000) (28c-33c-44c) 7 days. Stage: "Screwballs of 1941," with Bughouse Orchestra, Four Franks, Don Rice, Ted Lester, Al Verdi and Eve Ross Girls. Gross: $7,700. (Average, $8,000)

'Blonde' Is Omaha Best with $5,500

OMAHA, April 3. — "Strawberry Blonde" dualed with "Play Girl," grossed $5,500 at the Brandeis and was held a second week. The weather was warm and clear.

Estimated receipts for the week ending March 25-26:

"High Sierra" (W. B.)

"Tugboat Annie Sails Again" (W. B.)

2 days, 2nd week

"Strawberry Blonde" (W. B.)

"Play Girl" (RKO)

BRANDEIS—(1,200) (30c-40c-44c) 9 days. Gross: $5,500. (Average, $4,000)

"Lady Eve" (Para.)

"Michael Shayne, Private Detective" (20th-Fox)

OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,600. (Average, $6,000)

"Nice Girl" (Univ.)

"Texas Rangers Ride Again" (Para.)

ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $8,100. (Average, $7,200)

Cleveland House Dark

CLEVELAND, April 3. — The Lake Theatre here, after a six-week double feature foreign film policy, is dark again. The theatre was sub-leased by Brandt Bros. after Warners dropped it following a brief double feature first run attempt.

Short Subject Reviews

"Memory Tricks"

(M-G-M)

Here is a Pete Smith "Specialty" which deserves screen time anywhere and is likely to start a new rage in parlor games. Briefly, the trick in memory training which Smith describes is to associate the numbers from one to 10 with objects whose names rhyme with the numbers. Then, if there are 10 things to be remembered, each one is associated with one of the objects whose name rhymes with the number. It is an old trick in mnemonics but will be new to most audiences. The beauty of the trick is that the audience can convince itself that it really works because Smith, after explaining the stunt, goes all through it again. The reel lends itself readily to exploitation on the basis of mind improvement generally and the memory in particular. It should be featured. Running time, 9 mins.

"Canine Sketches"

(Paramount)

For this Sportlight, Grantland Rice has taken a sport subject which invariably makes for interesting film material, gun dogs at work in the field. The thoroughbreds are first seen at the studio of Lynn Hunt posing for a sketch. The scene shifts to the field with the various springer spaniels, Labrador retrievers and setters pointing, flushing or retrieving. Their work is remarkable. Running time, 10 minutes.

"Ye Olde Minstrels"

(M-G-M)

Our Gang undertakes to help the American Red Cross by raising some money. Froggy suggests a minstrel show and the idea is adopted. A big production is staged with 35 youngsters on five platforms. Trick lighting effects aid the dance numbers and there are several songs, including "Carry Me Back to Old Virginny," "Camptown Races" and "Oh, Susanna." It should please. Running time, 11 mins.

"The Seeing Eye"

(Warners)

Presented here is a tender subject on the Seeing Eye, Inc., the institution in Morristown, N. J., which teaches dogs to "see" for persons who can't. The film follows the various phases of instruction given both dog and his blind master through to what is referred to as the "solo," the first time the instructor places full responsibility on the dog to guide the blind man about town. It is moving short film and definitely worthwhile. Running time, 21 mins.

'Abdul-the Bulbul Ameer'

(Harmon-M-G-M)

Those two ferocious warriors, Abdul El Bulbul Ameer and Ivan Scavinsky Scavar, celebrated in the highly popular song, are brought to the screen by Hugh Harmon in an amusing color cartoon. After several verses from the song are rendered to put the audience into the proper mood, the two warriors go into their justly famous battle. It should be popular. Running time, 8 mins.

"Baby Blues"

(M-G-M)

An Our Gang comedy which is not up to snuff. Mickey discovers that every fourth baby born is Chinese and becomes worried that his next brother will be an Oriental. His expected brother turns out to be twins, both girls, and both non-Chinese. Running time, 9 mins.

"The Prospecting Bear"

(Ising-M-G-M)

Papa Bear is back again, this time searching for gold with the aid of a small burro who enjoys a diet of dynamite. He discovers a cave full of the precious metal, but his efforts to reach it by blasting his way through the entrance meet with disaster. As amusing as ever, the reel should bring lots of laughs. In color. Running time, 9 mins.

'Wind' in Montreal Draws Big $11,000

MONTREAL, April 3.—"Gone With the Wind," in its second week at Loew's, took $11,000; "Strawberry Blonde" $6,000 at the Capitol.

Estimated receipts for the week ending March 27:

"Road Show" (U. A.)

"The Mummy's Hand" (Univ.)

ORPHEUM—(1,000) (30c-43c) 7 days. Gross: $2,500. (Average, $4,000)

"Gone With the Wind" (M-G-M)

LOEW'S—(2,900) (30c-40c-60c) 7 days, 2nd week. Gross: $11,000. (Average, $7,000)

"You're the One" (Para.)

"The Mad Doctor" (Para.)

PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $1,900. (Average, $2,500)

"Tobacco Road" (20th-Fox)

PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $6,500. (Average, $7,000)

"Strawberry Blonde" (W. B.)

"Michael Shane, Detective" (20th-Fox)

CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $6,000. (Average, $4,000)

Small Signs Fairbanks

HOLLYWOOD, April 3. — Edward Small has signed Douglas Fairbanks, Jr., as the star of "Corsican Brothers," from the Alexander Dumas story. United Artists will release the film.

'Tobacco Road' at $9,500 in Toronto

TORONTO, April 3.—"Tobacco Road" grossed $9,500 at the Uptown. "Footsteps in the Dark" drew $8,000 at the Imperial. The weather was fair.

Estimated receipts for the week ending March 29:

"Footsteps in the Dark" (W. B.)

IMPERIAL — (3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $8,000. (Average, $9,000)

"The Son of Monte Cristo" (U. A.)

"Hullabaloo" (M-G-M)

LOEW'S — (2,074) (15c-25c-35c-50c-65c) 6 days. Gross: $7,500. (Average, $9,000)

"The Mad Doctor" (Para.)

"I Want a Divorce" (Para.)

SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $6,800. (Average, $7,500)

"Hudson's Bay" (20th-Fox)

"Play Girl" (RKO)

TIVOLI — (1,434) (10c-25c-40c) 6 days. Gross: $3,500. (Average, $3,900)

"Tobacco Road" (20th-Fox)

UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $9,500. (Average, $9,000)

Open New M-G-M Office

CHARLOTTE, N. C., April 3.—M-G-M has opened its new local exchange offices. Ben H. Rosenwald, manager, played host at a buffet luncheon which marked the opening.

'Tobacco Road' in Denver at $15,000 'Lady Eve' $11,000

DENVER, April 3.—"Tobacco Road" on a double bill at the Fox Denver grossed $15,000, while at the Denham "The Lady Eve" in its second week drew $11,000.

Estimated receipts for the week ending March 18-21:

"High Sierra" (W. B.)

"Blackout" (U. A.)

ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $3,500. (Average, $2,000)

"Andy Hardy's Private Secretary" (M-G-M)

"Land of Liberty" (M-G-M)

BROADWAY—(1,040) (40c-50c) 7 days, 3rd week. Gross: $2,500. (Average, $2,500)

"The Lady Eve" (Para.)

DENHAM—(1,750) (25c-35c-40c) 7 days, 2nd week. Gross: $11,000. (Average, $6,400)

"Tobacco Road" (20th-Fox)

"Double Date" (Univ.)

DENVER—(2,600) (25c-35c-40c) 7 days. Gross: $15,000. (Average, $8,700)

"A Girl, a Guy and a Gob" (RKO)

"The Penalty" (M-G-M)

ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $9,500. (Average, $8,700)

"A Man Betrayed" (Rep.)

"Sign of the Wolf" (Mono.)

PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $5,300. (Average, $3,800)

"Strawberry Blonde" (W. B.)

"Face Behind the Mask" (Col.)

RIALTO—(900) (25c-40c) 7 days, 3rd week. Gross: $2,400. (Average, $2,100)

'Dictator' Scores $13,500, Cleveland

CLEVELAND, April 3.—"The Great Dictator" led at Loew's State with $13,500. "The Sea Wolf" with $13,000 at Warners' Hippodrome, and "Second Chorus" with $15,500, aided by Will Bradley's orchestra at the RKO Palace, were both strong. The American and Canadian Sportsmen's Show offered competition.

Estimated receipts for the week ending March 28:

"Vivacious Lady" (RKO)

ALLEN—(3,000) (33c-39c-47c) 7 days. Gross: $3,800. (Average, $4,000)

"The Sea Wolf" (W. B.)

WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $13,000. (Average, $11.000)

"Second Chorus" (Para.)

RKO PALACE—(3,100) (33c-47c-55c) 7 days. Will Bradley's band on stage. Gross: $15,500. (Average, $13,500)

"The Great Dictator" (U. A.)

LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $13,500. (Average, $11,000)

"Andy Hardy's Private Secretary" (M-G-M)

LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)

'Maisie' with Show $22,000, Pittsburgh

PITTSBURGH, April 3.—"Maisie Was a Lady" and Martha Raye on the stage gave the Stanley $22,000, while the popular-priced return of "The Dictator" garnered $14,000 for Loew's Penn.

Estimated receipts for the week ending March 27:

"Fantasia" (Disney)

FULTON — (1,700) (50c-75c-$1.10-$1.65) 7 days, 3rd week. Gross: $7,800. (Average, $5,000)

"The Dictator" (U. A.)

LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $14,000. (Average, $13,000)

"The Mad Doctor" (Para.)

"Monster Girl" (Para.)

RITZ—(800) (28c-44c) 7 days. Gross: $3,000. (Average, $3,000)

"Tobacco Road" (20th-Fox)

SENATOR—(1,700) (28c-39c-55c) 7 days, 2nd week. Gross: $4,800. (Average, $4,500)

"Maisie Was a Lady" (M-G-M)

STANLEY—(3,600) (28c-44c-66c). Stage: Martha Raye, Johnny Woods, Three Swifts, Will and Gladys Ahern, Six Christians, Max Adkins. Gross: $22,000. (Average, $18,000)

"The Lady Eve" (Para.)

WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $8.500. (Average, $5,000)

Final Pleas in Channel Fight Heard by FCC

WASHINGTON, April 3.—Final argument in the five-way dispute over use of the 1,500 k.c. channel in Brooklyn and Queens area was heard today by the FCC, preparatory to action on a proposed decision which would deny two applications for new stations, refuse to renew licenses for WMBQ and WCNW and grant the facilities of the latter stations to WWRL, Woodside.

Counsel for WMBQ attacked the FCC findings that the station had failed to support its application while attorneys for WCNW challenged the finding that the station had operated in violation of the terms of its license. Neither of the applicants for the two new stations were found by the commission's proposed decision to have demonstrated that they would serve the public interest.

WWRL, which would be given exclusive use of the 1,500 k.c. frequency, was held to be qualified in all respects to serve the area. Argument of its counsel was confined chiefly to rebuttal of contentions of the opposing interests.

Station in Oklahoma Increases Its Power

WASHINGTON, April 3.—The Federal Communications Commission has granted the application of Station KCRC, Enid, Okla., for increase of power from 250 to 1,000 watts, and ordered a hearing held on the application of Station WTMV, East St. Louis, Ill., for change of frequency from 1,490 to 1,540 kilocycles and increase of power from 250 watts to 500 watts night, 1,000 watts day.

Three Big Events On NBC Television

Three programs are on NBC's television schedule for next week. On Friday, the baseball game between the Brooklyn Dodgers and the New York Yankees will be picked up from Ebbets Field. On Easter Sunday, there will be sidewalk interviews from Rockefeller Plaza in connection with the traditional Easter Sunday parade. This will be followed by a pickup of the regular monthly talks between refugee English children speaking to their parents in London. NBC long has considered the possibility of picking up a studio radio show and showing it on television. The refugee conversations have a strong dramatic appeal over the sound channel, and officials believe their emotional and dramatic content should be emphasized by the addition of sight. Film shorts Wednesday evening round out the week's schedule.

Off the Antenna

JOHN P. DICKSON, who was appointed Mutual correspondent in Germany about six months ago, was among the four U. S. citizens arrested in Berlin in what is believed to be a reprisal by the German Government for the seizure of that country's ships here. Mutual received word yesterday that Dickson had been released after being held prisoner several hours.

• • •

Purely Personal: *G. W. Johnstone, radio director for the Democratic National Committee and the Committee for the Celebration of the President's Birthday, returned from Washington yesterday. He will maintain a permanent office at the Birthday headquarters and will work on special assignments from Washington. . . . Roy A. Maypole, Jr., yesterday joined WABC as a script writer. . . . John Connolly, CBS director of program promotion, today will address the Wichita Service Club on "Radio's Place in American Business." . . . Basil Ruysdael, "Hit Parade" announcer, will celebrate 12 years in radio Wednesday. . . . Bette Garde again has been chosen to head the committee arranging the annual New York local of AFRA ball and entertainment.*

• • •

Program News: Arthur Godfrey will be on the air for 2¾ hours with only a 15-minute intermission when he starts his new show for WABC April 28. He will be heard by telephone lines from WJSV, Washington, 6:30-7:45 A.M. Then, from 8-10 A.M., he will be on his regular Washington program. . . . Noxema will sponsor "Battle of the Boroughs" over WABC Saturdays, 9:45-10.15 P.M., beginning April 12. . . . R. J. Reynolds Tobacco has renewed the Al Pearce show over 79 CBS stations for an additional year. . . . Ralph Edwards' "Truth or Consequences" will return to New York for Saturday's program. . . . Bette Davis will be heard tonight over NBC-Blue on "Your Happy Birthday."

Plans Large New Station in Mexico

MEXICO CITY, April 3.—General A. L. Rodriguez, former President of Mexico, has organized a company which plans a radio station at Nogales, in Sonora State, on the American border. It is planned as a commercial station, catering to both American and Mexican listeners. It is expected to be opened late in the Summer.

Mexican stations report great benefits from the changeover of frequency allocations in Mexico, since it gives them clearer channels and prevents interference with Canadian and American stations. The new plan gives Mexico six channels, three of them in this city. There are reported to be 100 actively operating stations in Mexico.

Ascap Air Formula Back to Committee

The "per program" licensing formula completed by the Ascap radio committee early this week has been returned to committee by the society's board of directors with suggestions for numerous changes and additions.

The radio committee expects to have the revised formula ready by the middle of next week, following which it will be resubmitted to the board before being sent to the National Association of Broadcasters.

Ascap believes there is a possibility that the formula will be ready for negotiation next week, but this is uncertain.

Mary Martin Leaves

Mary Martin left for the Coast last night after an Eastern vacation.

FCC Lifts 'Death Sentence' Against Five Texas Outlets

WASHINGTON, April 3.—Because of the fact that in all but one instance, localities involved would be left without broadcasting facilities in their communities, the FCC today rescinded its "death sentence" against five Texas stations whose licenses were ordered revoked for failure to disclose pertinent financial and other data in their applications.

The commission stated that 90-day licenses will be granted KRBA, Lufkin; KSAM, Huntsville; KTBC, Austin; KNET, Palestine, and KGFI, Brownsville, with further extensions contingent upon a showing that Dr. James G. Ulmer has relinquished all interest in their operation. The 90-day license to KRBA will be issued with the warning that the action is not to be taken as approving Dr. Ulmer's past activities.

With the exception of Austin, all of the communities in which Dr. Ulmer had stations would have been left without local service had the original order been carried out.

Cooper Resigns as FCC Counsel's Aide

WASHINGTON, April 3.—The resignation of Robert M. Cooper, assistant to the FCC general counsel, was announced today by the FCC. Cooper has been active in the monopoly inquiry and other important matters during the past two years. He did not make his future plans known, although he said he would continue to handle matters which have been specially assigned to him by the Department of Justice.

Mutual Gross for March at $513,774

Mutual gross billings for the month of March were $513,774, an increase of 31.5 per cent over $390,813 for March, 1940. Cumulatively for the first quarter Mutual has grossed $1,461,162, an increase of 39.7 per cent over $1,046,191 for the same period last year.

First FM Web Is Formed by 40 Executives

The first FM network, to be known as Associated Broadcasting Corp., was formed yesterday at a meeting of about 40 executives interested in FM radio at the Hotel Roosevelt.

The decision to act as a permanent organization and to incorporate was made after a discussion of the economies and advantages of a central body in New York. The primary function, in the beginning, will be to act as sales representative for the FM stations scattered throughout the country.

Later, as more FM stations go on the air, network programs will be broadcast with the network operating as a cooperative setup somewhat similar to Mutual, in which the individual stations originate programs with the network making them available to the member outlets.

John Shepard III, head of the Colonial and Yankee networks, was named chairman of the temporary board of directors, which includes Walter Damm, of the *Milwaukee Journal* and W55M, Milwaukee; Harry Stone, W47NV, Nashville; Herbert L. Pettey, WHN; Gordon Gray, WSJS, Winston-Salem, and John R. Latham, New York advertising executive and consultant to the FM Program Research Committee, predecessor of the new ABC. A meeting of the board will be held later this month.

Among the problems to be decided upon immediately are a uniform discount rate, the relationship of night rates to the day rates, a uniform relationship in rates for quarter-hour, half-hour and hour periods and similar matters. Tentative recommendations were that half-hour charges should be computed as 6/10 of the hour rate; quarter-hours as 4/10, and five minutes as 2/10. Some broadcasters favored charging double the day rate for night time, in accordance with the standard AM practice, while others supported a 50 per cent increase for night over day.

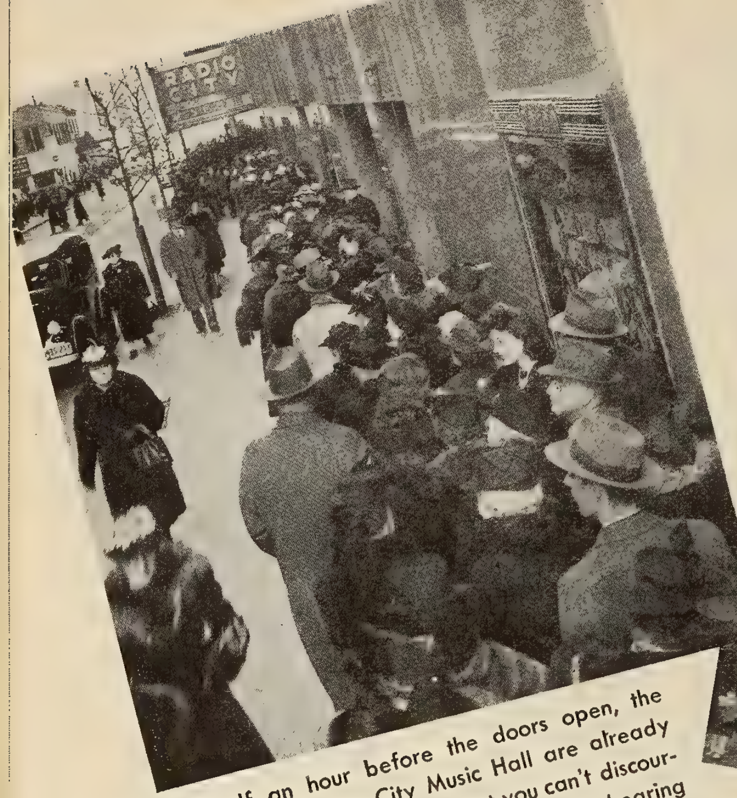
The board is expected to authorize the maintenance of a separate office in New York. For a short period, membership will be open to all broadcasters who profess interest in network FM but they will be required to file applications for construction permits within a specified time in order to demonstrate good faith.

Reinsch New Head Of 3 Cox Stations

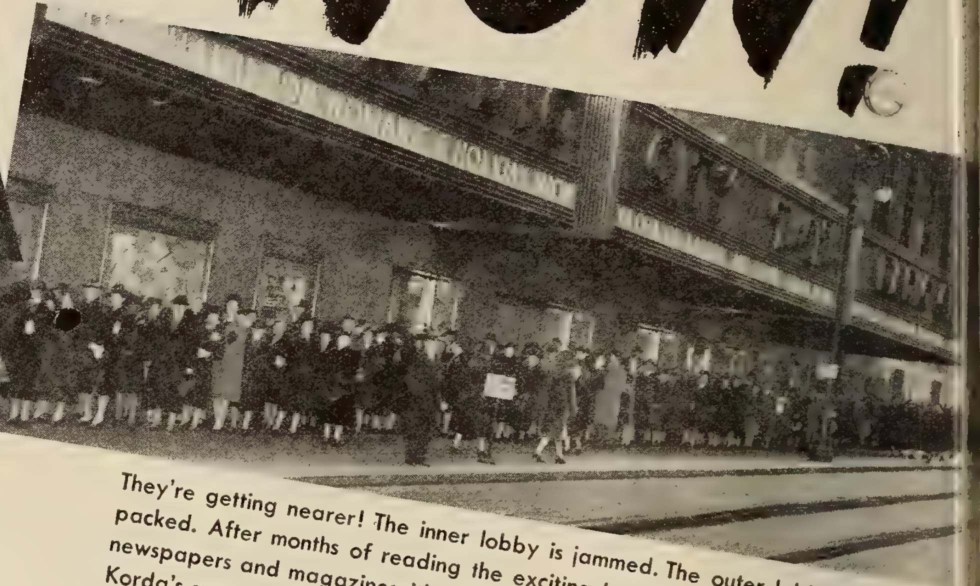
J. Leonard Reinsch has been named director of the three Cox radio stations by J. M. Cox, Jr. The stations are WSB, Atlanta; WHIO, Dayton, O., and WIOD, Miami. Reinsch has been active in radio since 1924. He joined WHIO in 1934 and in 1940 was transferred to WSB.

James LeGate will continue as general manager of WHIO and Arch Robb as manager of WIOD. Reinsch will make his headquarters in Atlanta with John Outler, Jr., as his assistant.

WOW!



Half an hour before the doors open, the lines at Radio City Music Hall are already up to Rockefeller Plaza. But you can't discourage the thousands who have been hearing for weeks that Vivien Leigh and Laurence Olivier are teamed in one of the greatest love stories of all time!



They're getting nearer! The inner lobby is jammed. The outer lobby is packed. After months of reading the exciting build-up in hundreds of newspapers and magazines, it's worth all the waiting to see Alexander Korda's spectacular and romantic hit!

"That Hamilton Woman!"

SECOND MEZZANINE

No more orchestra seats! Reserved section sold out! First mezzanine filled to capacity! Maybe if they hurry (hurry isn't the word— they're scrambling up those stairs) there'll be a couple of singles left in the second mezzanine!

Lucky people! The doors opened just forty minutes ago and now they're actually inside! Lucky is right— only a two hour wait for seats now! A mere 6,000 people got the jump on them and filled the Music Hall before these aggressive folks pushed their way thru the crowds!

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 67 NEW YORK, U. S. A., MONDAY, APRIL 7, 1941 TEN CENTS

Arbitrators See Powers As Restricted

Two Admit Clearance, Run Limitation

That arbitrators do not have the authority to award complaining exhibitors either a specific run or to disturb clearance schedules in existing contracts was recognized by presiding arbitrators at recent hearings in both Cleveland and Detroit, major company attorneys stated on returning from the hearings over the weekend.

This was pointed out by Motion Picture Daily on Jan. 31 on the eve of the opening of the boards.

The decisions of the Cleveland and Detroit arbitrators have not been made yet. Their statements recognizing their lack of authority to disturb existing contracts for either specific run or clearance were made from the "bench" in the course of the two hearings, the company attorneys said.

One such decision incorporating the same principle was handed down by Charles P. Megan, arbitrator, in the Ken Theatre clearance and run complaint in Chicago against Paramount, 20th Century-Fox and RKO, and an appeal of the ruling by the complaining exhibitor has been taken.

The Cleveland case in which Dan-

(Continued on page 3)

Decree Is Blessing Says W. R. Johnston

Hollywood, April 6.—Declaring that the consent decree offers the greatest opportunities ever presented to Monogram, W. Ray Johnston, president, told the ninth annual franchise holders' meeting at the Hotel Roosevelt yesterday that Monogram expects to take full advantage of the situation. The decree will bring to U. S. exhibition conditions paralleling those which still prevail in England where trade showings alone determine the value and importance of each picture at the box office, he added.

Johnston said that each Monogram exchange head would be permitted to evolve selling policies best suited to local needs because of varying conditions throughout the country. In some instances the exchange will sell in blocks-of-five and in others as single features, he pointed out.

"Despite the loss of certain markets

(Continued on page 7)

All American Films Banned from Italy

Rome, April 6.—Gaetano Polverelli, Under Secretary of Popular Culture, has announced a ban on all American films in Italy. Italian restrictions have forced withdrawal of American companies for some time, but a few independent films are shown, and are popular.

Sussman Honored In 20th-Fox Drive

William Sussman, Eastern division manager of 20th Century-Fox, will be honored by his home office and field staff, by designating the period beginning on May 4 and extending through June 7 as the William Sussman month, in observance of Sussman's fifth year in his present post. Sussman joined 20th Century-Fox as assistant to the late William Clark, when the latter was general sales manager of the firm. In 1936, Sussman succeeded E. C. Grainger as Eastern division manager upon Grainger's departure from the company to become operating head of the Feiber & Shea Circuit.

Atlantic District Manager Edgar Moss, of Philadelphia; Thomas H. Bailey, Northeastern District Manager, of Boston; Mid-eastern District Manager George A. Roberts, of Buffalo; and Harry H. Buxbaum, metro-

(Continued on page 3)

Ministry Feature Film Plan Alarms British Exhibitors

London, April 6.—The dealings of the British film industry with the Government became further complicated with the marked disturbance of exhibitors over authoritative reports that the Films Division of the Ministry of Information is planning to enter the feature production field, with a full length documentary film on the British campaign in Libya as the first picture. It is to be assumed that all exhibitors would be asked to show such films.

Newsreel representatives, headed by Francis Harley, late last week took their protest against the Ministry of Information supplying propaganda subjects duplicating material already in the reels directly to Sir Walter Monckton, director general of the Ministry, and heads of the Films Divi-

(Continued on page 7)

Col. Planning 2 New Series of Westerns

Columbia announced plans on Friday for production of two special series of Westerns for its 1941-'42 release schedule. The 16 pictures each will co-star two outstanding Western players, in place of the usual single "name" player.

One series of eight productions will feature Charles Starrett and Russell Hayden, while the second series of

(Continued on page 7)

Youngman RKO General Counsel; Mallard Resigns

Gordon E. Youngman, assistant secretary of RKO, and a member of the company's legal staff since he joined the firm, is now general counsel of that company, and also vice-president and general counsel of the subsidiary firm, RKO Radio Pictures, Inc. As general counsel of the parent company, Youngman has succeeded William Mallard. Mallard had been general counsel and secretary of RKO. He has resigned to enter the general practice of law.

Mallard was born in New York. He attended the University of Georgia, and before joining RKO in November, 1939, was associated with the law firm of Cravath, de Gersdorff, Swaine & Wood. Mallard besides having held the posts of general counsel and secretary of RKO, parent company, also was vice-president, sec-

(Continued on page 7)

Depinet Announces Release of 'Kane'

Ned Depinet, vice-president in charge of distribution of RKO, has announced that the company will release "Citizen Kane," as was published on March 18 in Motion Picture Daily. His announcement stated that the film will open "within a month" here, in Chicago and in Los Angeles, and will be exhibited simultaneously in each of these cities in two theatres, in one, on a roadshow basis, and in the other on a continuous, popular-run basis. The RKO Palace, it has been confirmed, will be one of the theatres in which the picture will be shown in New York. No determination has been made regarding a second house.

Also, the picture, it was stated, is

(Continued on page 7)

Anti-Five Bill Approved by Minn. House

Sponsors See Passage in Senate This Week

Minneapolis, April 6.—The Minnesota House of Representatives on Friday passed the anti-consent decree bill by a vote of 104 to 3.

Its sponsors believe it is certain to pass the Senate and be signed by Governor Harold E. Stassen immediately afterward.

Four companies opposed to the measure branded it as unconstitutional during committee hearings, and it is believed here that they will force a court test on that ground once the measure has been enacted. Otherwise, they would be obliged either to set up a selling system in Minnesota different from that in the rest of the country or withdraw from business in the state.

The Senate is expected to receive its companion bill early this week, possibly on Tuesday or Wednesday. It has been recommended for passage

(Continued on page 3)

Lee Closes Deals On 4 British Films

Deals for American distribution rights to four British-made productions were closed late last week by Arthur Lee, head of Artlee Pictures. United Artists will release one of the four and Universal another.

Rights to two of the productions were acquired by Edward Small. They are "Sailors Three," which will be released by United Artists, and "Come On, George," a George Formby production, release of which has not been set yet. Universal acquired the rights to "A Girl Must Live," with Margaret Lockwood.

The fourth production, "Proud Valley," with Paul Robeson, was sold to Supreme Pictures for state rights.

Lee, who returned from the Coast last week, left for Canada on business over the weekend.

In This Issue

Reviews of "The Devil and Miss Jones" and "Sis Hopkins" will be found in this issue on page 3.

Two-in-One

JESSE JAMES" and "The Return of Frank James," reissued by 20th Century-Fox, have been shown in Kansas City, St. Louis and Oklahoma City as a single continuous attraction, the credits of the latter film being deleted along with scenes from the first which are repeated in the second. Ward E. Scott, Midwest district manager for 20th Century-Fox, experimented with the idea in Coffeyville, Kan.

Guests Return from Littleton Premiere

LITTLETON, N. H., April 6.—Officials of state and city from the various New England states, as well as newspaper and magazine representatives from several Eastern cities and members of the Warner home office publicity staff, left here today after the world premiere of the Warner film, "The Great Lie," at the Premier Theatre, and a weekend celebration of the birthday yesterday of Bette Davis, star of the film.

Yesterday morning, following their arrival, the Warner party visited Canon Mountain, then were guests of Miss Davis at a cocktail party at Iron Mine Inn in Franconia, near here. In the evening a torchlight parade preceded the premiere of the film, which followed a special program broadcast over the Colonial and Mutual networks. After the screening a ball was held in the Littleton Town Hall, the opening of which was broadcast on a national NBC hookup. International News Service sent telephotos of the event from here.

Universal Host to Seiter Tomorrow

William A. Seiter, director, will be guest of honor at a cocktail party to be given by Universal at the Terrace Club, St. Moritz Hotel, tomorrow afternoon. Representatives of the New York trade and daily press will attend.

Seiter directed the current Deanna Durbin picture, "Nice Girl?", and his next two pictures will be made for Universal.

A. W. Smith Honored In RKO Sales Drive

The final two weeks of the 15-week Ned Depinet sales drive at RKO, which will end on May 9, have been designated the Andy Smith Appreciation Tribute, honoring A. W. Smith, Jr., sales manager of the company. The period will begin April 26.

'Round' Opens April 28

The Theatre Guild has set April 28 at the Guild Theatre for the opening of "The Last Round," play by Carl Zuckmayer and Fritz Kortner.

MILLIONS
ARE WAITING TO SEE
The LAST MILE

Personal Mention

SIDNEY R. KENT, president of 20th Century-Fox, is expected back from the Coast Friday.

•

MORRIS ALIN, editor of the Universal house organ, was married yesterday at Zion Temple to SYLVIA HOROWITZ.

•

ARTHUR W. KELLY, United Artists general sales manager, is expected from the Coast on Thursday.

•

JAMES ROOSEVELT left for the Coast by plane last night.

•

ISABEL CONKLING, secretary to J. T. MANFRE, manager of the Des Moines Paramount branch, was married last week to DAVID B. MCCURNIN.

•

E. J. SMITH, RKO Des Moines salesman, has left to take over his new assignment in Buffalo, and EDWARD GRUENBERG has taken over in Des Moines.

•

JOHN TURNER, assistant booker for Warner Theatres in Philadelphia, has left for a Coast visit.

•

WILLIAM LAFFERTY, manager of Warners' Liberty-Tacony Theatre in Philadelphia, became the father of a daughter late last week.

•

JAMES M. BRENNAN, JR., Universal publicity man on the Coast, is visiting his parents in Trenton, N. J., awaiting a call to Navy service.

EDWIN L. WEISL, JR., returned yesterday after a two-week stay in California.

•

SIGMUND MAITLES of the editorial department of National Screen Service, is the father of a daughter, born late last week at the Royal Concourse Hospital, Bronx.

•

GUS MOHME, manager for 20th Century-Fox, now here for home office conferences, is expected to return to Mexico City this week.

•

BEN ABNER, New Jersey branch manager for M-G-M, is due back today after two weeks in Miami.

•

DAVID M. COOPER, Warner Philadelphia salesman covering the Harrisburgh and Delaware territory, has begun a year of military service.

•

JOHN SCHWALM, manager of the Northio Rialto, at Hamilton, O., has returned from a trip to California.

•

PHILIP SHEA, cutter for Movietone News, reports this week for military training.

•

AL BOOKSPAN of Fishman Theatres, New Haven, and his family were injured late last week in an automobile accident on Merritt Parkway.

•

ERNEST BORAU, manager of three Middletown, Conn., houses for MORRIS POUZZNER, is the father of a girl, born at Middletown Hospital.

U. S. Film Division In Reorganization

WASHINGTON, April 6.—A major reorganization of the Bureau of Foreign and Domestic Commerce has divested the Motion Picture Section of its status as an independent office and incorporated it in a newly established Division of Industrial Economy.

Nathan D. Golden, chief of the section, has been designated as a consultant in the new division, which is to maintain a "clearing house" for the exchange of facts between the Bureau and the industry.

Final details of the shifts, which will be physically effected tomorrow, have not yet been worked out, but the plans of Secretary of Commerce Jesse Jones to put his department on a national defense basis include the division of the functions heretofore performed by the Motion Picture Section between a new export-import office, which will deal with foreign trade, and a merchandising division, in which there will be a motion picture economist.

In announcing his intention of making the reorganization, Secretary Jones promised that the department's efforts on the part of industry would be increased by the changes.

500 Attend Ampa's Silver Jubilee Ball

Approximately 500 persons attended the Ampa Silver Jubilee ball Friday night in the Grand Ballroom of the Hotel Edison. Boxes were taken by 15 industry organizations, and music was furnished by Louis Prima and his orchestra. A long list of stars of screen, stage and radio entertained.

Session Nears End In Wis. Legislature

MADISON, WIS., April 6.—With the state administration's $20,500,000 tax reenactment bill advanced to passage in the Assembly, a quick end of the session has been predicted by Assemblyman A. J. Biemiller, Milwaukee.

Although the Murray daylight saving time bill has been killed by the Senate, two tax measures affecting exhibitors are still pending and theatre men are hopeful that if the session ends soon, these bills will never see the light of day.

The tax measure already has passed the Senate and the Assembly adopted only one minor correctional amendment after nine other proposed amendments were rejected.

RKO Circuit to Hold Ball at Astor Tonight

The eighth annual RKO ball for the theatre staffs and home office employes of the circuit will be held in the Grand Ballroom of the Hotel Astor this evening. The orchestras of Harry James and Dick Rogers will supply the music.

The committee in charge included: Isadore Berger, Lester Jacobi, William Abrams, Joseph Quinn, Jack Cahn, John Lyons, Bernard Drexler, John Harness, J. T. Dolan, Harry Mandel and W. B. England.

Butterfield Gets Post

Allyn Butterfield, former managing editor of Pathe News, has been appointed supervising director of "King of the White Elephant," Thailand picture, which opened at the Belmont last week.

Liaison in Phila. on Recruiting for Army

Philadelphia, April 6.—Harry Jordan, manager of the Trans-Lux here, has been appointed liaison officer to work between the Army recruiting service and local film men in connection with the observance of Flying Cadet Week, starting April 14. Local exhibitors are being urged to play all short subjects dealing with the life and training of Army flying cadets.

U. S. Asks UA Data In Schine Action

BUFFALO, April 6.—Government attorneys will make application in U. S. District court here tomorrow for an order to require United Artists to produce documents and records for Department of Justice study in its pending anti-trust suit against the Schine Circuit and the Little Three distributor defendants.

The Government alleges that the documents to be sought from the company contain information necessary to the prosecution of the suit. It asks for all contracts, including deal sheets and clearance provisions, and amendments, modifications and alterations thereof, involving play dates on the company's pictures in more than 100 towns and cities from 1931 to 1941. Considerable additional office memoranda and correspondence also is sought.

Court Rules Phila. Games Not Lottery

PHILADELPHIA, April 6.—Quizo and Lucky 13, successors to Bingo as played in neighborhood houses here, were officially pronounced games of skill by Quarter Session Court Judge Eugene C. Allesandroni. He ordered confiscated equipment returned to Nathan Abelove, owner of the Ritz, from whom it was seized in January for the test case.

However, the Court warned that unscrupulous manipulations of the questions and answers vested exclusively in the management could easily change them to games of chance. If theatre operators yield to this temptation he ruled police would be justified in seizing the equipment and prosecuting on lottery grounds.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Anti-Five Bill Approved by Minn. House

(Continued from page 1)

in the Senate already by the general legislation committee of that body and was been listed on the general orders calendar.

The bill, which is sponsored by Allied Theatre Owners of the Northwest, is aimed particularly at the block-of-five selling provision of the industry consent decree, taking advantage of the decree's recognition that its provisions may be superseded by legislation. Under the bill, distributors would be required to sell their entire season's product at one time in Minnesota, rather than in blocks of five. The bill also accords exhibitors a 20 per cent cancellation right for moral, racial or religious reasons, or at the exhibitor's discretion.

Paramount, which also is affected by the decree, did not oppose the bill, and United Artists, which is not under the decree, did. Paramount is less vitally affected by the measure than the other distributors, since it has its own circuit, the Minnesota Amusement Co., within the state and is not required by the decree to sell to its affiliate in blocks of five. United Artists customarily sells its producers' pictures separately and, therefore, is opposed to the measure which would require it to alter its established policy.

The vote of the three representatives against the measure in the House was unexplained.

Sussman Honored In 20th-Fox Drive

(Continued from page 1)

politan New York district manager, are behind the drive. Engaged in the campaign to honor Sussman will be 10 exchanges and several hundred home office and field employes.

This is stated to be the first time in the company's history that a division manager has been so honored. During the period of this drive, it is said, 20th Century-Fox will have for release "The Outlaw," "The Great American Broadcast," and "Blood and Sand," three of the firm's leading films.

Midwest Managers To Meet Tomorrow

Kansas City, April 6.—In preparation for the third annual Spyros Skouras showmanship campaign, managers for Fox Midwest houses will hold a one-day convention at the Hotel Muehlebach here on Tuesday. About 120 will attend. Four National Theatres officials who will be present, according to Senn Lawler of the Fox, are: Charles P. Skouras, Charles Brinkley, Thomas Page and Andrew Krattman. Skouras, vice-president of National Theatres, will be in charge of the program.

Operator Is Burned

Buffalo, April 6.—William Frey, projectionist at the Hippodrome, suffered slight burns when he attempted to extinguish a projection booth fire on Friday. Damage was estimated at $3,000.

Feature Reviews

"The Devil and Miss Jones"

(RKO)

SPEAK of "The Devil and Miss Jones" and you speak of entertainment that sells tickets. For producer Frank Ross, director Sam Wood and author Norman Krasna here have delivered an agreeable collaboration to a cast which matches their contributions item for item. The result is a highly divertng, smooth running motion picture, capable of drawing them in, of making your theatre a pleasant place for them to be and of sending them home with that satisfied feeling which comes to customers who are certain they have had their money's worth and maybe something more.

The story, evolved from the precarious theme of union organizing and employer-employe relationships, successfully avoids the controversial pitfalls lurking in the subject by sticking so faithfully to its entertainment mission, and accomplishing it so goood-humoredly, that it would be difficult to mistake it for anything but fantasy. And yet it has a vitality, uncommon to comedy, which stems directly from its basic theme.

Charles Coburn as John P. Merrick, one of the "world's wealthiest men," is hanged in effigy outside a department store which he owns in the course of an employes' organizing movement at the store. Determined to apprehend the ringleaders, he becomes a shoe salesman in the store. Accepted as an employe there like themselves, he is befriended by Jean Arthur, sales girl; Robert Cummings, a discharged union organizer who is her fiance, and Spring Byington, a saleslady. He works with them, eats with them and weekends at Coney Island with them, and ends up vowing vengeance on petty department heads and the store's general manager. In the end he saves the romance of Miss Arthur and Cummings and is himself married to Miss Byington.

The entire supporting cast is excellent, especially the performances of Edmund Gwenn as a department head; S. Z. Sakall as a butler; Edward McNamara as a police sergeant, and William Demarest as a detective. The story is sparkling and the direction flawless.

Running time, 92 minutes. "G."* SHERWIN A. KANE

"Sis Hopkins"

(Republic)

SIS HOPKINS is back on the screen after 22 years, back to a world of jitterbugs and hep cats. It is therefore proper that the irrepressible Judy Canova should succeed Mabel Normand in the title role and that Judy should have with her that master of jive, Bob Crosby, and Jerry Colonna, whose moustache and sly humor have won him a host of fans, both radio and film.

Charles Butterworth is also on hand to add a droll touch, with the lovely Susan Hayward, Katharine Alexander, that thorn in Colonna's side; Elvia Allman, Carol Adams, Lynn Merrick and Mary Ainslee.

To director Joseph Santley must go credit for giving the picture its pace while it shifts between Colonna's comedy, the numerous musical numbers and the sentimental story of a young country girl thrust into a bevy of fashionable co-eds. Robert North, who produced, has given the musical numbers the important production values they deserve, especially in a lavish finale which brings the film to a smash climax.

There are four new songs by Jule Styne and Frank Loesser, "That Ain't Hay," "Well! Well!," "Look at You, Look at Me" and "If You're in Love," which are catchy and tuneful. The first two may well establish themselves as of hit caliber. Three old favorites, "Wait for the Wagon," "Some of These Days" and "Flow Gently, Sweet Afton," are also included.

Butterworth, millionaire plumber, retires, but Judy thinks he has lost his job and invites him to live with her. To escape from his social-climbing wife (Miss Alexander) and his daughter (Miss Hayward), Butterworth goes to Judy's farm just in time to see it burn down. In return for her kindness, he invites Judy to his own home and later decides to send her to college with Susan.

The latter resents the intrusion of her cousin and involves her in an escapade which has Judy performing in a burlesque house. Later, when Butterworth innocently becomes involved with a burlesque "queen" Judy is accused of stealing a mink coat. Rather than expose her uncle, Judy permits herself to be expelled from college but the situation is rectified in time to allow Judy to turn the college show into a hit.

The lovely co-eds, the music and the comedy should prove strong box-office lures. The story is a bit slow in starting but it builds steadily.

Running time, 98 minutes. "G."* EDWARD GREIF

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*"G" denotes general classification.

Fairbanks Here

Douglas Fairbanks, Jr., arrived here from the Coast yesterday. He will remain here only a short time.

Para. Signs Nugent

Hollywood, April 6. — Paramount has signed Elliott Nugent to direct three pictures in the next two years.

Arbitrators See Powers As Restricted

(Continued from page 1)

iel B. Cull, arbitrator, conceded his inability to grant a specific run or to change existing contracts in advance of his decision, involved the complaint of the Ellet Amusement Co. against all five consenting companies. In the Detroit case a similar statement was made by L. J. Carey, arbitrator, in the Milton Theatre's clearance and run complaint against all five consenting companies, according to the attorneys who were present.

In both cases, the attorneys for the parties involved are now preparing briefs, which are due April 16 in Cleveland and April 19 in Detroit.

The distributor attorneys said that any decision varying from the principle expressed by the arbitrators would be appealed. They contend the decree is not intended to tell the distributor what run he must sell, and that clearance schedules presently a part of contracts cannot be disturbed.

Van Vechten Veeder, chairman of the national appeals board for the industry, stated on Friday that all hearings before the appeals board will be open to the press and other interested parties.

The first New York arbitration hearing, that of the Squire Theatre, Great Neck, against all five consenting companies on clearance, which had been scheduled for Friday was postponed to Wednesday. As a result, New York's first hearing will be that of the Regent Theatre, Brooklyn, against all five, also on clearance, which had been previously scheduled for today.

Philadelphia Complaint Decision Is Reserved

Philadelphia, April 6.—Felix Jenkins, attorney for 20th Century-Fox, told Robert J. Callaghan, arbitrator at the local board's first hearing on Friday, that the consent decree does not authorize him to award a day-and-date run. Companies merely are required to offer "some run," he pointed out.

Decision was reserved by Callaghan on the complaint, which was brought by John Geyser, head of the Highbridge Theatre, Highbridge, N. J., on clearance and run against all five consenting companies.

Complaint in Denver Dismissed on Request

Denver, April 6.—The arbitration complaint of J. J. Goodstein Enterprises against Loew's, Paramount and 20th Century-Fox, on inability to obtain sufficient product, was dismissed Friday at Goodstein's request, just as the respondents started to present evidence.

4 Companies Formed

Albany, April 6.—Four new companies have been incorporated here. They are: Manox Theatre Corp., New York, by Seymour M. Peyser, Sidney Freidberg and Peter A. Lewis; Sydbar Theatre Corp., by the same persons; Creative Age Film Corp., New York, by E. J. Garrett, Florence Brobeck and Elmer Lindsay, and Supreme Productions, Inc., New York by Frederick W. Scholem, Hyman Goldman and Sidney A. Simon.

It sure was

HAPP

for B

First photos of Gala Week-End Festivities at Littleton, N. H. World Premiere!

THE 2 BIG BROADCASTS!

Over NBC Blue Network Friday Night on "Your Happy Birthday" program—over Colonial Network and Mutual Hookup Saturday night from the Premier Theatre world premiere. Tremendous coverage—Tremendous coverage—and a tremendous send-off for Easter openings of 'The Great Lie'!

BETTE DAVIS
in
'THE GREAT LIE'
with
GEORGE BRENT
MARY ASTOR
LUCILE WATSON
HATTIE McDANIEL
Directed by
EDMUND GOULDING
Screen Play by Lenore Coffee
From a Novel by Polan Banks
Music by Max Steiner

AFTER THE BIRTHDAY BALL WAS OVER

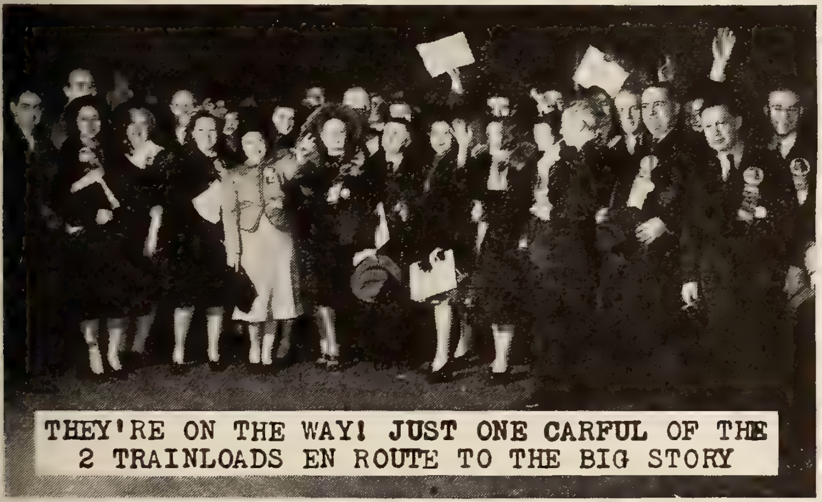
Bette and hubby Arthur Farnsworth, shared the wealth of birthday bounty with the throngs of national celebrities including Gov. Wm. H. Wills of Vermont, Gov. Robt. O. Blood of New Hampshire, Sen. Styles Bridges, Judge Albert Billodeau, representing Gov. Sewell of Maine.

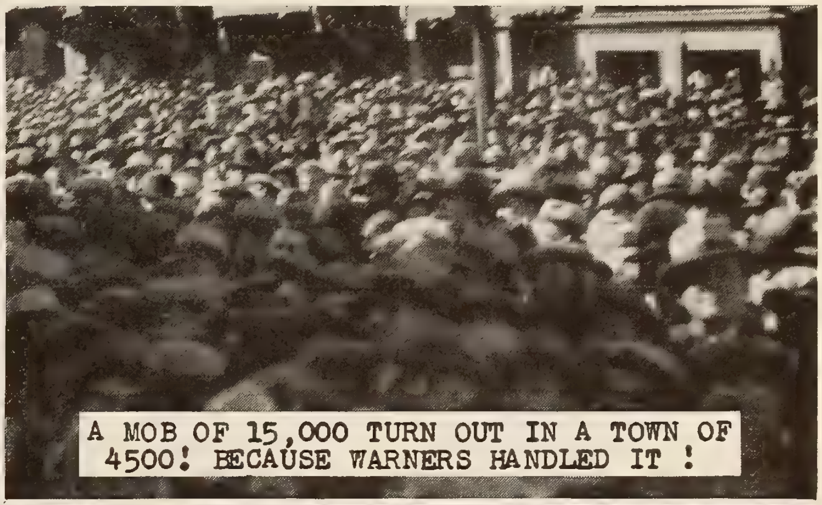
EVERYTHING IS GOING TO BE GREAT *(especiall*

BIRTHDAY ETTE DAVIS!

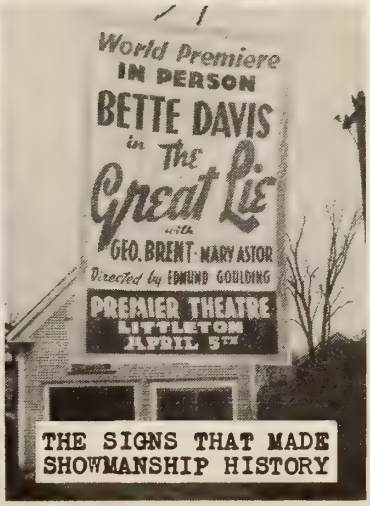
All Happily Handled via Warner Bros. Showmanship!

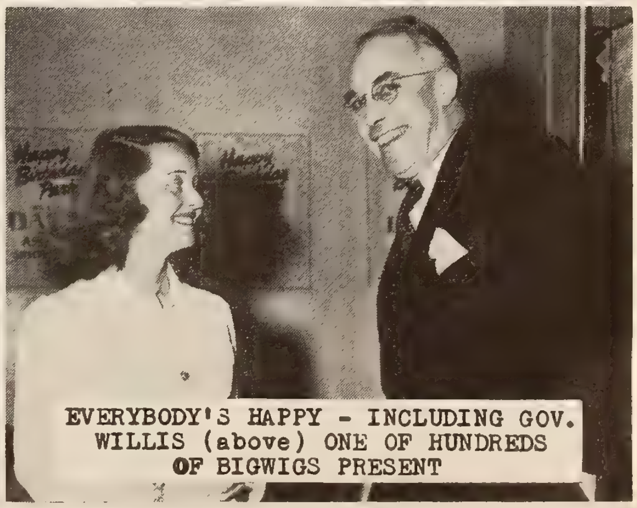
THE CELEBRATION WAS AT BETTE'S HOME TOWN—THE NEWS IS EVERYWHERE!


THEY'RE ON THE WAY! JUST ONE CARFUL OF THE 2 TRAINLOADS EN ROUTE TO THE BIG STORY


A MOB OF 15,000 TURN OUT IN A TOWN OF 4500! BECAUSE WARNERS HANDLED IT !

Bette Davis
AT BETTE'S HOUSE FOR HAPPY BIRTHDAY INTERVIEWS


World Premiere
IN PERSON
BETTE DAVIS
in The Great Lie
with
GEO. BRENT · MARY ASTOR
Directed by EDMUND GOULDING
PREMIER THEATRE
LITTLETON
APRIL 5TH
THE SIGNS THAT MADE SHOWMANSHIP HISTORY


EVERYBODY'S HAPPY - INCLUDING GOV. WILLIS (above) ONE OF HUNDREDS OF BIGWIGS PRESENT

usiness!) **WITH 'THE GREAT LIE'**

'Atrocious' French

Ottawa, April 6.

PERREAULT CASGRAIN (Liberal, Gaspe North) in the Quebec Provincial legislature urged that the Canadian Broadcasting Corp. exercise greater control over its programs. Speaking on the province's educational system during a debate he stated that the children were being taught correct French in the schools throughout the province but that when at home they listened to radio programs in which "atrocious" French is used.

Film Items in Fund For S.A. Relations

WASHINGTON, April 6. — Carrying an appropriation of $545,000 for the improvement of cultural relations between the American Republics the 1942 State Department supply bill has been reported to the House by the Appropriations Committee.

Of the total, $6,750 is for the motion picture program of the division and $20,000 is for the editing and scoring in Spanish and Portuguese of travel bureau films by the Interior Department.

Also reported were the appropriations for the Department of Justice including $2,325,000 for the anti-trust division. This was an increase of $1,001,200 over the current appropriation and $750,000 more than recommended by the budget bureau, the committee explaining that enforcement of the anti-trust laws during the present emergency is "one of our most urgent Governmental requirements."

Defeat Employment Agency Bill in N. Y.

ALBANY, April 6.—Prior to the adjournment of the New York State legislature early Friday morning, the Senate decisively defeated the Ostertag employment agency bill to which theatrical and talent interests objected. The Bewley measure, which would have imposed an inspection fee on 16mm. twice that on 35mm. films failed to come to a vote in the Assembly after Senate passage. The Ostertag bill would have regulated commissions of employment agencies, and would have affected talent agents.

Two Stations Seek Power Increases

WASHINGTON, April 6. — Applications have been filed with the Federal Communications Commission by Stations WCBS, Springfield, Ill., for change of frequency from 1,450 to 1,170 kilocycles and increase of power from 250 watts to 1,000 watts night, 5,000 watts day, and WJOB, Hammond, Ind., for increase of power from 100 to 250 watts.

John Sun Dies at 64

SPRINGFIELD, O., April 6.—Gus Sun, head of the local theatre booking agency which bears his name, has received word of the death of his brother John, 64, one of the former owners of the Sun Brothers Circus, in a Tampa, Fla., hospital. Burial will be in Toledo, O. Another brother and two sisters survive.

Off the Antenna

WABC'S new 50,000-watt transmitter will be ready for operation by July 21, it was disclosed over the weekend. The transmitter is located in Long Island Sound, off New Rochelle, on an island formerly known as Little Pea, but which has since been re-christened Columbia Island. Although there still is a possibility that the delay in delivery of transmitter equipment caused by the defense program may set back the opening date, engineers believe that the transmitter will be ready to start operation on schedule. It will replace the present transmitter at Wayne, N. J., and is expected to improve reception in this area and particularly along the New England coast.

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Program News: *First sponsor to purchase participation on the new Arthur Godfrey series over WABC is Marlin Razor Blades which will sponsor the 7-7:15 A.M. period Mondays through Saturdays. The program starts April 28. . . . P. Lorillard Co. will sponsor "Lawyer Q" over WJZ Tuesdays, 7:30-8 P.M. for 13 weeks beginning tomorrow. . . . General Foods will shift "Kate Hopkins" from 4:45 P.M. to 2:45-3 P.M. April 28 over 43 stations. . . . Barbasol Co. will sponsor 15 minutes of news, 6:15-6:30 P.M. Monday, Wednesday and Friday for 52 weeks over WEAF, beginning April 14. Ray Winters will be the announcer. . . . Yesterday marked the fourth anniversary of the weekly symphonic broadcasts from Brooklyn Museum over WNYC.*

• • •

CBS won two renewals from tobacco accounts over the weekend. Tobacco is the third largest sponsor of time on CBS, following drugs and foods. American Tobacco Co. has renewed "Your Hit Parade" for its sixth year. It is heard Saturdays, 9-9:45 P.M., with Mark Warnow's orchestra, Barry Wood and Bea Wain. A hookup of 103 stations will be used. Philip Morris has also renewed "Crime Doctor," Sundays 8:30-8:55 P.M. on 64 stations.

• • •

Film Players on the Air: Miriam Hopkins will be heard during "War Letters from Britain" over WMCA Thursday at 9:45 P.M. . . . Dick Powell will join Joan Blondell in the final episode of "I Want a Divorce" series over Mutual Friday at 9:30 P.M. . . . Carmen Miranda will be guest of Edgar Bergen and Charlie McCarthy Sunday over NBC-Red.

• • •

Purely Personal: *Bob Trout will substitute for Elmer Davis for two weeks on the CBS newscast, daily at 8:55-9 P.M., while Davis takes a vacation at Key West, Fla. . . . George Bryan has received a renewal as announcer on the "News of Europe" program over CBS, sponsored by the American Chicle Co. Bryan, who will fly to Chicago each Sunday to announce the Helen Hayes show, has received permission to engage a standby for the Monday morning broadcast in the event his plane is grounded. . . . "This Is London," a compilation of broadcasts from the English capital by Edward R. Murro, CBS correspondent there, comes out in book form tomorrow.*

Duffus Is Named to U. S. Stamp Sale Staff

Before leaving for the Coast on Friday, Howard Dietz, advertising and publicity director of Loew's, named Carlton Duffus, M-G-M field exploitation representative, to the publicity department of the Defense Savings staff of the Treasury Department, which Dietz heads. Dietz will arrange studio cooperation in the promotion of the sale of defense bonds and stamps while on the Coast.

Agfa Sues Victory

August Sennhauser as assignee of Agfa Raw Film Corp. has filed suit for $5,538 against Victory Pictures Corp. in N. Y. Supreme Court, on a bill for negatives and sound tracks bought in 1938 and 1939 and allegedly unpaid for in part.

Public 'Previews' Banned on Coast

HOLLYWOOD, April 6. — "Commercialized previews," publicized press showing to which the public is admitted on payment of admission, a source of complaint by exhibitors, have been virtually eliminated under the new preview system.

No theatre in the Los Angeles city area may have "press previews" for which admission is charged, under a code set up by the Association of Motion Picture Producers. The code has almost entirely eliminated the use of advertised previews to bolster business, a practice extremely prevalent here.

There are solitary instances of advertised previews, but under the AMPP regulation, a picture must have been shown to the press prior to the public showing.

FCC to Hold Up Papers' FM Bids Pending Determination of Policy

Washington, April 6.—No applications of newspaper interests for FM stations not approved prior to March 19 will be acted upon until the Federal Communications Commission completes its determination of the policy to be followed in such cases, it was announced Friday.

Orders have been issued that no construction of FM stations shall be started by newspapers given authorizations before March 19, the date when orders were adopted for an investigation of the situation, until the commission has acted on newspaper ownership, unless it can be demonstrated that immediate construction is essential. Following a decision on newspaper ownership of FM facilities, it was said, pending applications will be considered as a group.

Plan Station Shifts In NBC Networks And Rate Changes

Plans for shifts of stations from NBC-Blue to Red, time rates and the addition of one affiliate were announced over the weekend by William S. Hedges, vice-president in charge of station relations. When WFEA present Blue outlet in Manchester, N. H., joins the Red either on April 26 or May 1, WMUR, which operates on 610 k.c. with 5,000 watts day and 1,000 night, will join the network as the Blue outlet in the same city. The WMUR basic rate will be $100 per evening hour with the cut-in rate at $8 night, $4 day and $6 Sunday.

In September, when WBAL, Baltimore, switches from the Blue to the Red, it will put on a special celebration and promotion campaign to call attention to the fact that WCBM, Baltimore, will join the Blue. The basic rate for WCBM will be $140 per evening hour as compared with $320 for WBAL.

KDKA, Pittsburgh, will move from Blue to Red on Nov. 1 and will be replaced by two new stations, WWVA, Wheeling, W. Va., and KQV, Pittsburgh. The basic rate for WWVA will be $320, for KQV, $240, and the combination rate for both stations, $560, as compared with the present $480 rate for KDKA.

Moskowitz on Stand In Government Trial

The U. S. Treasury Department in a letter written to Joseph H. Moskowitz in 1933 gave its approval to the method of computing expenses used by Joseph M. Schenck during all subsequent years, Moskowitz declared on Friday while on the stand in the Government trial. Moskowitz produced this letter, which was read to the jury. In 1933, according to the witness, the Government approved expenses of Schenck totaling $28,554, while the Government is now claiming that Schenck is only entitled to $167 allowance in 1935.

Moreover, the witness reiterated several times during the day that Treasury agents frequently examined the books and records of Schenck, and gave approval to the claims of losses for sale of Schenck's yacht and his interest in the Agua Caliente Hotel. In 1934 and 1935 Treasury agents settled Government claims against Schenck on taxes for $15,734 and $5,604, respectively, without making any assertions of wrong doing on the part of the defendants. Moskowitz described the purchase by William Goetz of the Agua Caliente Jockey Club stock, and affirmed Goetz's contention that he had made the deal for speculation and not to evade taxes.

Honor Kitty Kweller

Kitty Kweller, secretary to Paul Lazarus at United Artists, was honored by fellow workers on Friday with a farewell luncheon at the Hickory House, on the occasion of her retirement from the company.

New Crosby-Hope Film

HOLLYWOOD, April 6. — Paramount has announced the next picture co-starring Bing Crosby, Bob Hope and Dorothy Lamour as "Road to Moscow."

Decree Is Blessing Johnston Declares At Monogram Meet

(*Continued from page* 1)

abroad, the opening up of the industry domestically as well as in the Latin American market will provide a boom year. Also I look for steady improvement in economic conditions due to general prosperity and these are certain to have their effect on the motion picture industry," Johnston asserted.

Trem Carr, member of the board, who also spoke, said he shared Johnston's optimism and said that Monogram was about to achieve for itself a brilliant future. All of the Monogram producers who head their individual units were presented before the convention and each outlined his plans for the coming year.

Arthur Mayer Speaks

Arthur Mayer, New York exhibitor who operates the Rialto, emphasized the "bread-and-butter" aspects of film production and maintained that the average patron was interested solely in entertainment and had no desire to pay for experiments in art forms.

Others who addressed the meeting were Steve Broidy, general sales manager; William J. Gell, managing director of Pathe Films, Ltd., who explained the efforts of exhibitors and distributors in England to maintain a policy of business as usual, and Ray Young, treasurer.

Following the close of the Saturday afternoon session, the delegates attended a screening of two recently completed features, Scott R. Dunlap's "Roar of the Press" and Sam Katzman's "The Invisible Ghost." The annual banquet took place the same evening.

Col. Planning 2 New Series of Westerns

(*Continued from page* 1)

eight will have Tex Ritter and Bill Elliott.

President indications are that Columbia will not depart from its customary convention plans of other years, either as to the type of convention, usually a series of regional sales meetings, or as to time. The Columbia sales force is now engaged with its annual sales drive and there is little likelihood of the annual sales meetings being held until after the drive ends in May.

Columbia Pictures will hold a special conference and trade press showing in New York on "Penny Serenade," and according to the home office will call in several of the branch managers and field exploitation staff to these events in order to formulate plans for a special campaign on the picture. It had been previously reported that company officials were considering putting the picture on a roadshow schedule.

The exploitation men will confer with David Lipton, advertising and publicity director, while here. The date of the conference and the trade press showing have not yet been determined. Among those named by the home office officials to attend the New York conference are Jack Thoma, Chicago; Ed Rosenbaum, Philadelphia; Mark Freeland, Boston.

Youngman RKO General Counsel; Mallard Resigns

(*Continued from page* 1)

retary and general counsel of the subsidiary company, RKO Radio Pictures, Inc.

Both the resignation of Mallard and the appointment of Youngman were announced by George J. Schaefer, president of RKO, on Friday night, prior to his going to California.

Schaefer also announced that J. Miller Walker, assistant secretary of RKO, parent company, had been elevated to the post of secretary.

Schaefer further announced that at the annual meeting of RKO Radio Pictures, Inc., which was held on Friday, the following officers and directors were elected:

George J. Schaefer, chairman of the board and president; Ned E. Depinet, W. J. Merrill, Phil Reisman and J. R. McDonough, vice-presidents; Gordon E. Youngman, vice-president and general counsel; W. H. Clark, treasurer; J. Miller Walker, secretary; George Muchnic and G. B. Howe, assistant treasurers; J. J. Nolan and Muchnic, assistant secretaries.

Directors are: Ned E. Depinet, James G. Harbord, J. R. McDonough, John E. Parsons, Richard C. Patterson, Jr., N. Peter Rathvon, George J. Schaefer, Lunsford P. Yandell and Gordon E. Youngman.

RKO Declares $2 Preferred Dividend

The board declared a dividend of $2 per share on the RKO preferred stock, payable May 1 to holders of record on April 21. The payment leaves accrued and unpaid dividends of $5.50 per share on the stock, as of May 2.

The company stated that the payment is "not necessarily to be deemed the inauguration of regular dividends on the preferred stock. It was the opinion of the directors that substantially improved results in the first quarter justified the payment now authorized," the statement continued, "but the board recognized that impaired foreign markets and other uncertainties which impelled the withholding of dividends during 1940 still continue and may affect dividend policy during the remainder of the year, which naturally depends directly on the company's earnings."

Shift Dietrich Suit

The suit of Forrester Parant Productions against Marlene Dietrich has been transferred from the N. Y. Supreme Court to the U. S. District Court because of diversity of citizenship. Suit seeks $98,450 damage, claiming that the defendant breached a contract to appear in a film in France.

Honor 'U' Manager

PHILADELPHIA, April 6.—The last four weeks of Universal's William Scully Drive will be known at the local exchange as the George Schwartz Appreciation month, from April 13 to May 10. Schwartz is branch manager here.

Ziehm Has Westerns

Arthur Ziehm will release four westerns, produced by Elkay Producing Corp., and starring eight-year-old Buzzy Henry. The first, "The Phantom Pinto," is ready.

Depinet Announces Release of 'Kane'

(*Continued from page* 1)

scheduled for showing in Washington, San Francisco, and San Diego. Advance press showings are also planned for the film at the Broadway, here, and the Ambassador, Los Angeles, on Wednesday.

Sues on De Luxe Fire

Harry G. Fromberg, trustee in bankruptcy for Grand National Pictures, Inc., charged 20th Century-Fox and De Luxe Laboratories with negligence in a fire in a De Luxe warehouse at Little Ferry, N. J., in 1937, in a $500,000 damage suit filed in N. Y. Supreme Court. It is claimed negatives and prints of Educational Film Corp. were destroyed.

Given Farewell Party

NEW HAVEN, April 6.—Associates and friends of Elliott Kronish, of the Loew-Poli staff for the past three years, gave Kronish a farewell party at the Seven Gables Inn Saturday, and presented a gift of golf equipment.

Ministry Feature Film Plan Alarms British Exhibitors

(*Continued from page* 1)

sion. Monckton promised consideration and an early reply to the reels' suggestions for improved relations. Representatives of the Cinematograph Exhibitors Association, who were supposed to have joined the newsreel group in the protest, will meet with Ministry officials later.

It is understood that the industry's situation is expected to be eased to a certain extent with respect to its request that studio technicians and theatre projectionists be placed in the category of reserve occupation with relation to military service. A committee has been formed to study the entire situation, following urgent industry pleas to prevent a film labor shortage. Lord Lytton has been named chairman of a new Ministry of Labor committee which also is expected to give consideration to the matter.

3 PRC Films for April

Producers Releasing Corp. has three releases scheduled for April. They are: "Federal Fugitives," "South of Panama" and "Billy the Kid's Fighting Pals."

IT'S ALL ABOUT THE SUNNYSIDE OF LIFE!
An Invitation To Laughter
SIS HOPKINS
JUDY CANOVA
BOB CROSBY
AND HIS BAND WITH THE BOBCATS
CHARLES BUTTERWORTH
JERRY COLONNA
SUSAN HAYWARD
KATHARINE ALEXANDER
AND AN ALL-STAR CAST
JOSEPH SANTLEY, Director
Screen Story By JACK TOWNLEY, MILT GROSS and EDWARD ELISCU
Original Story By F. McGREW WILLIS
A Republic Picture
IT'S A SUPER-COMEDY WITH MUSIC!

MORE THAN HALFWAY

DEFT treatment and dramatic lighting contribute much to modern screen productions. Unusual effects receive competent support from the wide latitude and exact uniformity of Eastman negative films. They always can be depended upon to meet director and cameraman more than halfway. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

DO NOT REMOVE

Alert,
Intelligent
and
Indispensab
to th

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

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68 NEW YORK, U. S. A., TUESDAY, APRIL 8, 1941 TEN CENTS

370 Theatres Are Closed in Great Britain

Most Hit Are in London; 'Major Barbara' Opens

By AUBREY FLANAGAN

LONDON, April 7.—The number of theatres closed in Great Britain due to Nazi bombings and the general war crisis has reached the total of 370, according to the latest report disclosed today.

About two-thirds of the closings are in the Greater London area, with others concentrated in the industrial and seacoast cities which have felt the brunt of the air raids.

The British industry, however, is determined to carry on, come blitz and high water. That determination was demonstrated once again with the opening tonight of Gabriel Pascal's new film, "Major Barbara," at the Leicester Square, Odeon house in the West End.

The premiere was characterized by observers as no less brilliant than the brightest of pre-war openings.

'I Wanted Wings' Sets Strong Pace

"I Wanted Wings" playing a two-a-day engagement at the Astor, set the pace on Broadway as weekend grosses held to strong levels, despite the rain.

The film drew an estimated $6,000 Saturday and Sunday, and is expected to take $13,800 in the second week, ending tonight. The third week will begin tomorrow.

"Pot o' Gold" with a stage show at the Roxy garnered an estimated $27,300 Thursday through Sunday, and will be held over.

At the Radio City Music Hall, "That Hamilton Woman," with the Easter stage show, grossed an estimated $64,000 Thursday through Sunday, with about $100,000 expected for

(*Continued on page* 8)

Blumberg, Seidelman Will Return Sunday

Nate J. Blumberg, president of Universal, and J. H. Seidelman, vice-president and foreign manager, will return next Sunday from Panama where they attended the company's Latin American sales meeting. Blumberg plans to leave immediately for the Coast for an extended studio visit.

Halt P. M. Radio Pickups with Axis

All communication with Berlin and Rome will be suspended between 1 P.M. and midnight until further notice, according to word received in New York yesterday. The ruling will prevent direct pickups from radio correspondents in those cities for network roundup programs.

U.S. Answers Col. On Schine Queries

BUFFALO, April 7.—The United States today filed answer and objections to interrogatories recently propounded by Columbia Pictures Corp., one of three remaining distributor defendants in the Schine anti-trust suit here.

Special Attorney Seymour Simon, whose signature is on the answers, states that Columbia's interrogatories are "improper and objectionable, but in order to avoid argument and delay the Government has "determined to answer them." A dozen pages are devoted to explaining why the Government cannot give further details with reference to its various charges.

Objections to the interrogatories are made on grounds that (1) "they request information which would of necessity be based upon hearsay; (2) they request the plaintiff to describe and classify evidence to be offered at

(*Continued on page* 8)

RKO Establishes New Sales District; Ullman Is Recalled

A new Rocky Mountain sales district comprising the Denver and Salt Lake City exchanges has been created by RKO and several managerial changes have been made in preparation for operations under the consent decree, Ned E. Depinet, RKO vice-president in charge of distribution, announced yesterday.

Frederic Ullman, Jr., former head of RKO Pathe News, will return to that post to succeed Frank R. Donovan, who has resigned, it was announced yesterday by Depinet as president of Pathe News, Inc.

Ullman left the newsreel post a year ago to produce low budget films at the RKO studio, at which time Donovan, who had been general manager of the newsreel, was named to succeed him.

Harold C. Fuller, former Salt Lake City branch manager, has been appointed manager of the new sales dis-

(*Continued on page* 8)

'U' Indianapolis Post to McGinley

L. J. McGinley, manager of the Universal Seattle exchange, has been transferred to Indianapolis in the same capacity, following the death of Hadley H. Hull.

Foster Blake, Los Angeles branch salesman, has been made manager of the Seattle exchange.

Nazi Yugoslavian Move Found Networks Ready

Radio networks went into action Saturday night when short wave listening posts picked up the news of the German declaration of war against Yugoslavia, with NBC scoring a scoop by going on the air with the news ahead of all other networks. CBS also picked up the broadcast on its listening post but engineering difficulties prevent an immediate switch to the news room, it was said, and the rival network gained the advantage.

Press associations and newspapers were compelled to rely on the radio announcements, and the news stories gave liberal credit to NBC as the news source. A. A. Schechter, NBC director of news and special events, on Sunday gathered all news clippings which gave credit to NBC and rushed

(*Continued on page* 12)

GTE 1940 Net Profit Rises to $849,820

General Theatres Equipment Corp. yesterday reported consolidated net profit for 1940 of $849,820, after all charges, including Federal income and excess profits taxes. This compares with profit of $696,062 for 1939.

The 1940 earnings are equivalent to $1.45 per share on the 586,087 shares of capital stock outstanding at the end of the year, compared with $1.17 per share earned on 592,887 shares the year before.

Earle G. Hines, president, declared in a letter to stockholders that the 1941 business outlook is good, with the company engaged in the manufacture of precision instruments for defense.

A.A.A. to Study Arbitration for Improvements

Exhibitors in Brooklyn Settle Clearance Case

A study of arbitration case records which may be the basis of recommended changes in the industry consent decree will be started by the legal committee of the American Arbitration Association in the next few weeks.

The recommended changes would pertain to improving the arbitration system and serve as a guide to the Department of Justice in the event the Government reopens the decree for alterations, as is provided in the decree.

The A.A.A. study will be conducted independently of the Government. The committee will continue its study throughout the next year and will pay particular attention to appraisals of arbitrators' decisions in the light of the relief sought by the complainants.

Should the study reveal that the arbitrators are allowed too limited ju-

(*Continued on page* 8)

Dervin Named U.A. District Manager

John J. Dervin, former United Artists branch manager at Boston, yesterday was appointed Southern district manager for the company by Harry L. Gold, vice-president and Eastern general sales manager.

Dervin succeeds Hugh Owen, who resigned recently to join Paramount in a similar capacity in the South. Dervin's territory includes Dallas, New Orleans, Atlanta and Charlotte.

A. I. Weiner, United Artists Pittsburgh branch manager, was transferred to Boston, replacing Dervin, while Nat Beier, sales supervisor at the New York exchange, was made Pittsburgh branch manager.

In Today's Issue

Hollywood reviews of "Power Dive" and "Scotland Yard," Page 7. London review of "Kipps," Page 8. Screen unaffected by New York legislation; 49 features in work in Hollywood, Page 7. Critics' Quotes, Page 10. Key city grosses, Pages 7 and 10.

Coast Flashes

Hollywood, April 7

MAURICE SILVERSTONE, chief of world-wide operations of United Artists, arrived today from New York to remain a week. He will confer with company producers on the new season product lineup and the proposed new sales plan which, it is contemplated, will start with 1941-'42 selling.

•

Samuel Goldwyn today appointed Niven Busch story editor and his assistant. Busch, a screen and magazine writer, collaborated on Goldwyn's "The Westerner" and is the author of the novel, "The Carrington Incident."

•

George J. Schaefer, president of RKO, returned today by plane from New York. He plans to remain here two weeks before returning East.

•

Sol Lesser and James Roosevelt announced over the weekend that they have negotiations under way to film the life of Winston Churchill.

Seeking to Prolong Atlantic City Season

Atlantic City, April 7.—Amusement and business interests at this resort, in an effort to prolong the Summer season, have proposed that the reopening of schools in the state be postponed at least two weeks. The plan has been favored by A. W. Coffin, managing director of the New Jersey Council, state publicity agency, and he has agreed to take up the subject with State Commissioner of Education Charles H. Elliot. Since the law requires 180 days of schooling during the year, some readjustment seemed indicated if schools are not to reopen until Sept. 15.

Mayor Tom Taggart, Jr., also indicated that he would take an active part in the movement, also expressing hope that Daylight Saving Time will be extended to Oct. 25 instead of the last Sunday in September as at present.

A bill is pending in the state legislature at Trenton to designate Labor Day on the second Monday in September, instead of the first, in order to prolong the shore season.

Grierson Salary Is $6,000 Yearly

Toronto, April 7.—The salary of John Grierson of London, as Dominion Film Commissioner, has been revealed through information secured by George Tustin, member of the Canadian Parliament, Napanee, Ont., and a theatre proprietor. It was brought out that Grierson is being paid $6,000 a year and is the only salaried employe of the National Film Board, the members of which are reimbursed for expenses only.

Cooper Due Today By Air from England

Merian C. Cooper is due today by clipper from London where he gathered material on the Eagle Squadron, organization of American flyers with the R. A. F. He will use the material as a basis for a film to be called "The Eagle Squadron" which he will produce for Walter Wanger, to be released by United Artists.

Personal Mention

H. J. YATES, James R. Grainger, Republic president, and John Wayne arrived yesterday from St. Louis. Wayne will leave for the Coast tomorrow.

•

I. J. Hoffman, Warner circuit executive in New Haven, is due back from Florida this week.

•

Leo Bonoff, exhibitor in Madison and Saybrook, Conn., is in Miami.

•

Ralph Miller, operator of the Levoy, Millville, N. J., marks his 32nd anniversary in the industry this week.

•

William Howarth, manager of the Palace, Atlantic City, and Margaret Boyd, were married recently.

•

Walter Potamkin, manager of the Girard, Philadelphia, and Bobby Kallen will be married June 8.

•

Jack Shea of the Shea Circuit and Harry Kaplowitz of the Warner Theatres booking department were in Albany yesterday.

•

Tom Connors, Ted O'Shea, Herman Robbins, Wiliam Orr, John W. Hicks, Russell Holman, Owen Davis, Morris Gest, Joseph Seider, Leon Netter and Irving Berlin lunching yesterday at Nick's Hunting Room in the Astor.

•

Harry Brandt, Clayton Bond, Frank Phelps, William Brandt, Louis Phillips, Robert Weitman, Armando, Sidney Phillips, John Buchanan, John D. Hertz, Jr., Al Altman, Arthur Loew, Mort Spring and Laudy Lawrence at Sardi's yesterday for lunch.

•

James Mulvey, Lou Brandt, J. J. Milstein, Jack Goetz and Lou Brandt having lunch at Lindy's (51st St.) yesterday.

JOSEPH A. McCONVILLE, Columbia foreign manager, returned to New York over the weekend from Central America.

•

Ben Reingold, manager of the 20th Century-Fox exchange in St. Louis, is vacationing in the Bahamas.

•

Abe Libson, circuit operator in Cincinnati, was married last week to Helen Knecht, formerly with RKO in Cincinnati.

•

Abe Montague, Maurice Freeman, Lou Weinberg, Marvin Schenck and Eugene Picker lunching yesterday at Lindy's (next to the Rivoli).

•

Haskell Masters, Harry Gold, Moe Streimer, Charles Stern, Lou Pollock, Dave O'Malley, Milton Silver, Dougas Rothacker, Eugene Castle, Alan Freedman and Arnold Van Leer at the Tavern yesterday for lunch.

•

W. G. Van Schmus, John Harris, William Kostka, Sam Shain and Lewis H. Titterton at Toots Shor's for lunch yesterday.

•

Rhonda Foreman of Loew's Capitol, Washington, was married on Saturday to Sergeant Hubert Huddleston.

•

Lilla Ruth Evans, daughter of Frank Evans, Altec inspector at Atlantic City, and Edgar F. Horner were married recently.

•

David Cherman, operator of the Lawrence Theatre, New Haven, is visiting in Atlantic City with Mrs. Cherman and their son.

•

Melvin Bean, assistant manager of the Fox, Butte, Mont., and Katherine Keough were married last week.

'Penny Serenade' Trade Show April 15

Columbia's showing of "Penny Serenade" for exhibitors and the press will be held at the Astor Theatre on Broadway April 15 at 11 A.M. Exhibitors in Greater New York, New Jersey and nearby cities have been invited, as well as newspaper, trade and fan publication representatives. A number of Columbia branch managers and members of the field exploitation staff also will attend.

Honor Rudolph Berger

Washington, April 7.—Honoring him on his 30 years in show business, a testimonial dinner was given at the Willard Hotel tonight for Rudolph Berger, M-G-M manager here.

Kamber U. A. Exploiter

Bernie Kamber has been appointed New England exploitation representative for United Artists by David E. Weshner, exploitation director. He succeeds George Scher, now in the Army.

W.B. Executives Due

Gradwell L. Sears, Sam Schneider, Carl Leserman and Mort Blumenstock, Warner executives, are scheduled to arrive today from the Coast.

Landers Rites Today; Was with M.P.P.D.A.

Funeral services for John Landers, 35, assistant auditor for M. P. P. D. A., will be held at St. Monica's church, 413 East 79th St., Manhattan, at 10 A.M. today. Burial will be in Calvary Cemetery, Queens. Surviving are his widow, one son, his parents, two sisters and three brothers.

Landers was killed in an automobile accident at Queens and Woodhaven boulevards early Saturday when returning to his home in Jamaica Estates from the Ampa ball at the Hotel Edison. He was with the Hays office 14 years.

Louis Maharam Dies

Louis Maharam, 66, founder of the Maharam Fabric Corp., dealers in theatrical upholstery and costumes, died Friday in Miami Beach of a heart attack.

Retired Costumer Dead

Bernard Bernstein, 63, retired theatrical costumer and brother of Rube Bernstein, Philadelphia theatre man, died here Sunday after a long illness.

Rites Held for Schell

Columbus, O., April 7.—Services were held here today for Gustav G. Schell, 64, theatrical scenic painter.

Defense Workers' Matinees in Phila.

Philadelphia, April 7.—"Defense workers matinees" have been inaugurated by the Lindy, Stanley-Warner house in southwest Philadelphia. Situated near the General Electric and Westinghouse plants, working day and night on national defense orders, the Lindy opens at 12:30 P.M. for an early matinee for the convenience of workers who must get their entertainment during the early afternoon because of revised labor schedules.

Move to Join Suits Lost by Casanave

Justice Mortimer B. Patterson of the Westchester County Supreme Court at White Plains yesterday denied the motion of Charles Casanave to consolidate his suit against Herman Robbins, president of National Screen Service, in the Westchester court, with the pending suit of Robbins and N. S. S. against Casanave in New York Supreme Court.

Pizor-Segall Suit Hearing on Friday

Philadelphia, April 7.—Hearing on a bill in equity filed by Lewen Pizor charging fraud and asking for a receivership against Charles Segall, his partner, was postponed to Friday when called today before Judge Louis E. Levinthal in Common Pleas Court here. The suit involves four local houses operated in partnership.

W. B. Phila. Party May 9

Philadelphia, April 7.—The office division of the Warner Club of Circuit employes here, will hold its annual dinner-dance on May 9 at the Cedarbrook Country Club. Ellis Shipman is general chairman, with Al Zimbalist in charge of entertainment and publicity.

In Theatre Guild Post

John Haggott has been named general production assistant to Lawrence Langner and Theresa Helburn, co-administrators of the Theatre Guild.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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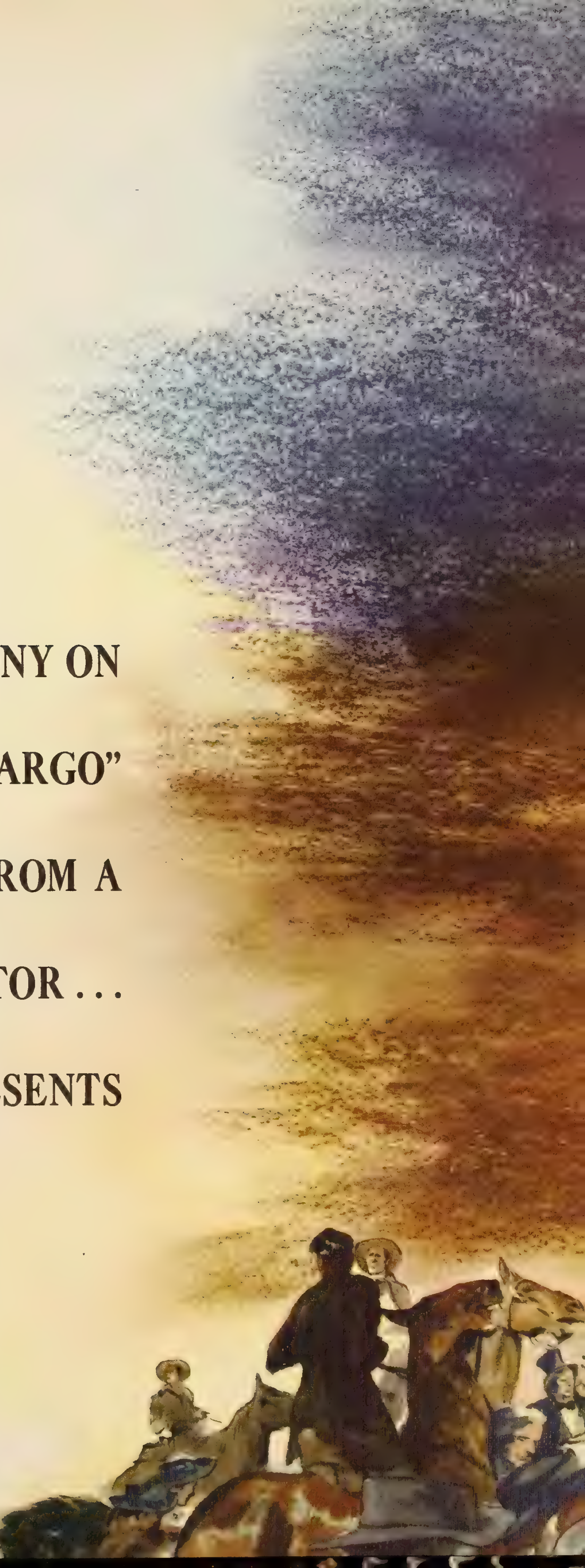
CAVALCADE”…“MUTINY ON THE BOUNTY”…“WELLS FARGO” …GREAT PRODUCTIONS FROM A GREAT PRODUCER-DIRECTOR… FRANK LLOYD *NOW* PRESENTS



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EDWARD ARNOLD
GLADYS GEORGE
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NATIONAL RELEASE APRIL 11th

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Screenplay by Warren Duff and Kathryn Scola
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"*The Lady From Cheyenne*" is entertainment with every element of box office . . . a showmanship special that will exceed every claim and please every customer.

Screen Unaffected By N. Y. Legislation

ALBANY, April 7.—None of the legislation enacted at the 1941 session of the New York legislature affects the motion picture industry.

The bills which created most interest among exhibitors were the Davidson measure, from which the sponsor deleted application to film houses, and the Ehrlich child actor employment measure. The Davidson bill, aimed at the exclusion of critics from legitimate productions by certain producers and theatre owners, is intended to prevent exclusion of anyone more than 21 years who holds a ticket of admission and is not guilty of abusive or offensive language or breach of the peace. It similarly would prevent ejection of persons.

The Ehrlich bill gives local boards of education the sole right to grant written permission for acting of any kind by juveniles if convinced it is not harmful to the children's morals, health or education. As drafted, it is a liberalization of the present restrictive law.

Killed after passage by the Assembly were the Ostertag employment agency bill, to which talent agents objected, and the Burrows anti-discrimination measure. The Assembly killed after Senate passage the Bewley bill to raise the tax on review of 8 mm. and 16 mm. pictures. Killed earlier were circuit theatre taxation bills and proposals for a sales tax and lottery legalizations.

One measure which passed also is not often applicable to motion pictures. Sponsored by Senator Coudert, it will give brokers the right either to redeem tickets of amusement if not sold or to resell them for more than 75 cents above admission when proprietors refuse to redeem them.

Providence Dull; 'Adam' Hits $7,500

PROVIDENCE, April 7.—Business was off generally here, with the Strand's double feature, "Adam Had Four Sons" and "The Secret Seven" leading the town with $7,500.

Estimated receipts for the week ending April 2-3:

"Back Street" (Univ.)
"Let's Make Music" (RKO)
RKO ALBEE—(2,239) (28c-39c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $6,000)
"The Bad Man" (M-G-M)
"Road Show" (U. A.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $10,000. (Average, $11,000)
"Meet John Doe" (W. B.)
MAJESTIC—(2,250) (39c-55c-65c) 7 days, 2nd week. Gross: $5,300. (Average, $7,000)
"Adam Had Four Sons" (Col.)
"The Secret Seven" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $7,500. (Average, $6,000)
"Convoy" (RKO)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 7 days. Stage show (3 days) with Al Donahue and orchestra; the Martins; Art Carney; Gene Sheldon; Three Dancing Debs. Gross: $5,100. (Average, $4,700)
"Prairie Pioneers" (Rep.)
FAY'S—(1,800) (33c-39c-44c) 7 days. Stage show with Dawn and Darrow; Kelvyn and Joscelyn; Jed Dooley; Stubby Kane; the Dorchester Girls. Gross: $3,600. (Average, $5,000)
"Cheers for Miss Bishop" (U. A.)
"Free and Easy" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $1,900. (Average, $3,500)
"The Mad Doctor" (Para.) (3 days)
"Ride, Kelly, Ride" (20th-Fox) (3 days)
"Strawberry Blonde" (W. B.) (4 days)
"Tall, Dark and Handsome" (20th-Fox) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,500. (Average, $1,700)

Hollywood Reviews

"Power Dive"

(Paramount-Producers Corp.)

Hollywood, April 7

"POWER Dive," first of a series of three aviation pictures by William C. Thomas—William H. Pine's Producers Corp. of America for Paramount release, is an intensely moving production, packed with thrills, action and romance in quantities sufficient to satisfy young and old here, there and everywhere. Featuring Richard Arlen and Jean Parker, the picture deals with test piloting and the building of planes.

Its keynote is action throughout, and many excellently filmed aerial scenes are included.

Supporting the principals are Don Castle, a definite "find"; Helen Mack, Roger Pryor, Cliff Edwards, Billy Lee, Thomas Ross and Louis Jean Heydt.

Directed by James Hogan, the story has Arlen, a test pilot, dissuading his brother, an aeronautical engineer, from following in his steps as a pilot. Conflict breaks out between the two brothers, both in love with the same girl, through a misunderstanding over their respective ambitions. The climax comes when both brothers test a new plane, putting it into a terrific dive, only to have the controls jam and Arlen bring it to earth alone by forcing his brother to parachute from it.

Producer Thomas and his associate, John Rogers, put such realism into the picture that the press preview audience virtually felt the wind whistling past their faces.

Running time, 68 minutes, "G."* VANCE KING

"Scotland Yard"

(20th Century-Fox)

Hollywood, April 7

A MYSTERY based upon the familiar theme of confused identity is here enacted against a background of present day London.

Henry Wilcoxon appears as a bank robber whose possession of a stolen brooch causes facial surgeons to rebuild his face in the image of the head of a British bank, a man who is actually a prisoner of war in Germany. Complications both marital and economic, bringing in Scotland Yard and German spies, result.

Nancy Kelly appears as the wife in the case, who discovers she is really in love with the imposter; Edmund Gwenn as the Yard Inspector; John Loder as the bank head, Melville Cooper as a pyschiatrist, and Gilbert Emery as the head of the Yard.

Norman Foster directed on the Sol Wurtzel side of the studio.

Running time, 68 minutes. G.* W.S.

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*"G" denotes general classification.

'Lady Eve' $5,200 In Cincinnati Slump

CINCINNATI, April 7.—In a dull week, with no theatre drawing average business or better, "The Lady Eve" scored a good $5,200 in its second week at the RKO Capitol. "Strawberry Blonde" took $3,000 in its sixth week at the RKO Lyric.

Estimated receipts for the week ending April 1-5:

"Cheers for Miss Bishop" (U. A.)
RKO-ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $10,000. (Average, $12,000)
"The Bad Man" (M-G-M)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $8,500. (Average, $10,000)
"The Penalty" (M-G-M)
RKO SCHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "Pan-American Follies." Gross: $9,800. (Average, $10,000)
"The Lady Eve" (Para.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $5,500)
"The Man Who Lost Himself" (Univ.)
RKO GRAND — (1,450) (33c-40c-50c) 5 days. Gross: $3,300. (Average, 7 days, $5,000)
"Strawberry Blonde" (W. B.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 6th week. Gross: $3,000. (Average, $4,500)
"Michael Shayne, Private Detective" (20th-Fox)
"Flying Wild" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Let's Make Music" (RKO)
"The Girl in the News" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"The Sea Wolf" (W. B.)
KEITH'S — (1,500) (33c-40c-50c) 7 days 2nd week. Gross: $3,200. (Average, $5,000)

10 New Features Are Approved by Legion

The National Legion of Decency has approved 10 new films, six for general patronage and four for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Ellery Queen's Penthouse Mystery," "Horror Island," "In Old Cheyenne," "Pot o'Gold," "Riders of Death Valley," "A Very Young Lady." Class A-2, Unobjectionable for Adults—"The Great Lie," "Lady from Cheyenne," "Man of the Forest" (Swedish), "Model Wife."

'Wind' Scores Big $10,400 in Omaha

OMAHA, April 7.—"Gone With the Wind," single-featured at higher prices, grossed a smash $10,400 at the Omaha and was held a second week. The weather was cloudy and rainy.

Estimated receipts for the week ending April 2-3:

"Strawberry Blonde" (W. B.)
"Play Girl" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days, 2nd week. Gross: $3,300. (Average, $4,000)
"Gone With the Wind" (M-G-M)
OMAHA—(2,000) (40c-55c) 7 days. Gross: $10,400. (Average, $6,000)
"Bad Man" (M-G-M)
"Free and Easy" (M-G-M)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $7,200. (Average, $7,200)

Features in Work Up to 49 on Coast

HOLLYWOOD, April 7.—Forty-nine pictures were before the cameras this week, four more than last, although the number finished dropped to nine and those started decreased to 13 from the totals of the previous week. Being prepared were 31 films, and 64 were being edited.

The total by studio:

Columbia

Finished: "Officer and the Lady," "Hands Across the Rockies."

Started: "Betty Co-ed," "Obituary," "Prisoner on Devil's Island," "One Way Street," "Blondie in Society."

M-G-M

Finished: Untitled "Dr. Kildare,"

In Work: "Blossoms in the Dust," "Dr. Jekyll and Mr. Hyde," "The Uniform," "Lady Be Good," "Man from the City," Untitled Marx Brothers.

Monogram

In Work: "King of the Zombies," "The Pioneers," "Redhead."

Producers Releasing

Finished: "Emergency Landing."

Started: "Lone Rider Gallops to Glory."

Paramount

Finished: "Skylark."

In Work: "The Great Man's Lady," "Hold Back the Dawn," "Night of January 16th," "Buy Me That Town," "Aloma of the South Seas."

RKO

In Work: "Sunny," "Before the Fact," "Tom, Dick and Harry," "My Life with Caroline," "Devil and Daniel Webster," "Parachute Battalion."

Started: "Scattered Pulls the Strings."

Republic

Finished: "Country Fair."

In Work: "Sheriff of Tombstone," "The Gay Vagabond."

Started: "Thunder Over the Ozarks."

20th Century-Fox

Finished: "Blood and Sand."

In Work: "Miami," "Man Hunt," "Sun Valley."

Started: "Man with the Shovel."

Universal

Finished: "Sandy Steps Out."

In Work: "Unfinished Business," "Tight Shoes," "Hello, Sucker," "Men of the Timberlands."

Started: "Too Many Blondes."

Warners

Finished: "Passage from Hongkong."

In Work: "Sergeant York," "The Gentle People," "Underground," "Dive Bomber," "Manpower," "Bad Men of Missouri," "Flight Patrol."

3 Companies Formed

ALBANY, April 7.—Three new companies formed here include: Malverne Theatre Corp., New York, by Charles Schwartz, Andrew C. Knoeller and John J. Bell, Jr.; Stevalan Amusement Corp., New York, by Arnold H. Goldman, Max J. Goldblatt and Lillian Halpern, and Star Spangled Attractions, Inc., New York, by Saul Wilchins, Anne Kaufman and G. C. McMahon.

A.A.A. to Study Arbitration for Improvements

(*Continued from page* 1)

risdiction under the decree to hear essential complaints or to give complete relief where merited, recommendations to correct the situation are believed certain to follow.

Brooklyn Houses Compromise Clearance

The clearance complaint of the Hilary Theatre Corp., operator of the Regent, Brooklyn, against the five consenting companies, was settled by agreement between the exhibitors involved just before the case was to go to hearing yesterday as the first for the New York arbitration board.

The complaint named the Apollo Theatre, Brooklyn, as an interested party. The agreement settling the complaint was reached in the American Arbitration Association hearing room by Albert Margolies, owner of the Regent, and George Stamatis, owner of the Apollo.

Terms of the settlement were not disclosed but it was reported that the Regent will play two or three days behind the Apollo instead of seven days after it, as heretofore. The complainant had asked that the Regent be permitted to play day-and-date with the Apollo.

Companies Will Agree

The five distributing companies named in the complaint agreed to sign stipulations authorizing the withdrawal of the complaint "without prejudice" as a result of the agreement between the exhibitors. Julius Henry Cohen had been chosen arbitrator for the case. The complaint was filed Feb. 18 with Charles Wall, clerk of the local board, and was the second case of record here.

The first New York case filed, that of the Squire Theatre, Great Neck, is scheduled for hearing tomorrow following several delays.

The clearance complaint of the Royal Amusement Corp. against the five consenting companies has been set for hearing at the local board on April 16. Frank L. Weil will be arbitrator.

Ohio Censor Made 53 Cuts for March

Columbus, O., April 7.—The Ohio censors reviewed a total of 617 reels in March from which 53 eliminations were ordered. Eight reels were rejected. This compares with 438 reels reviewed and 39 eliminations ordered in February, while the figures for March, 1940, were 497 reels and 59 eliminations.

June 9 Canada Holiday

Toronto, April 7.—The national holiday for the observance of the birthday of King George VI has been fixed for Monday, June 9, by the Dominion authorities, although the royal birthday is observed in the British Isles on Dec. 14, which is the actual date. For this anniversary, theatres organize midnight and special matinee performances.

London Review

"Kipps"

(*20th Century-Fox*)

London, March 26, By Mail

ONE of the most ambitious pictures made in Britain by 20th Century-Fox, this is undoubtedly one of the most successful, both as a production and as entertainment. There is quality in both categories stamped all over it. Edwardian in inspiration and settings, purely human in theme and treatment, boasting grand character work—and above all being an English film with no pretensions at apeing Hollywood, it should make a hit on both sides of the Atlantic, on this side of course more than on the other, because of its escapist character.

H. G. Wells' story of "a simple soul" tells of a shop assistant who comes into a fortune but finds that the world of simple folk is preferable to the toadies of society. As Artie Kipps, Michael Redgrave does not look or act like Wells' hero but he puts over a subtle and sympathetic performance such as will warm the cockles of every feminine heart. His buffetings by fate, flirtations with a high society romance, his loyalty to his own, make for quite moving, certainly agreeable entertainment. In Diana Wynward as the ritzy Miss Walshingham, Phyllis Calvert as the servant girl sweetheart, Max Adrian as the scriptual selfhelper, and Arthur Riscoe, he has most exhiliration and satisfying support, and the entire cast is excellent.

Carol Reed's direction is extremely effective and shows imagination and wit. The Edwardian atmosphere of the English seacoast town of Folkestone with its band stands and bath chairs, its drapery store slavery, the brick dignity of the houses, and the drab daring of the dresses, all in perfect period unison, give the film realism and charm.

Running time, 112 minutes. "G."* Aubrey Flanagan

"G" denotes general classification.

U.S. Answers Col. On Schine Queries

(*Continued from page* 1)

the trial in accordance with issues not made by the pleadings: (3) they request names of plaintiff's witnesses together with classifications of their testimony in accordance with categories arbitrarily established by the defendant; (4) the preparation of the answers to these interrogatories would cast an unreasonable burden on the plaintiff, and (5) this interrogatory, with others, is propounded for the purpose of eliciting a complete statement of every bit of evidence on which the plaintiff will reply at the trial of the case, as well as a summary of the testimony of every witness the plaintiff will call."

The objections bear the signature of Herbert Borkland, special assistant to the Attorney General. Previously there had been a stipulation filed which extended until today the Government's time in which to answer.

Counsel's Examination Postponed to April 24

Examinations of the counsel for the five consenting companies in connection with the Government's preparation for trial of its anti-trust suit against the Schine Circuit and the Little Three, was postponed yesterday to April 24.

The postponement followed the agreement by counsel for the consenting companies to permit Government representatives to inspect a large number of contracts, records and correspondence related to business dealings in about 80 cities and towns in the Schine Circuit territories. Also included are all records relating to about 70 exhibitors in the same territories who contend they have been unable to purchase sufficient suitable product for their theatres.

The examination of the office records will begin with Loew's tomorrow and later will embrace Paramount, RKO, Warners and 20th Century-Fox. If the oral examinations are needed thereafter they will begin with Loew's officers on April 24.

Assistant U. S. Attorneys General Herbert Borkland and Seymour Simon will conduct the examinations. Company representatives at the hearing yesterday included Leopold Friedman and Tyree Dillard, Loew's; Felix Jenkins, 20th Century-Fox; Louis Phillips, Paramount; E. K. Hessberg, Warners; Benjamin Pepper, Universal and United Artists; Willard S. McKay, Schine Circuit, and Irving Moross, Columbia.

Canadian Film Tax Plan Seen Dropped

Toronto, April 7.—The enactment of a measure providing for an immediate increase of one cent per pound in the tax rate on all sugar sold in the Dominion to raise more war revenue is taken by the film industry as an indication that the Canadian Government has dropped the proposal for the creation of a Federal amusement tax for the same purpose, which would be in addition to similar imposts by Provincial Governments. The sugar tax increase is expected to bring a further $9,000,000 revenue to the Treasury, which was the amount which the Federal authorities had hoped to collect on amusement tickets.

Urges Lancaster To Check on Films

Lancaster, Pa., April 7.—Rev. Clifford G. Twombly, retired pastor of St. James Episcopal Church, has suggested a six-point program on motion pictures to the Lancaster Law and Order Society. He suggested that the program include checking of the advertisements of motion picture theatres and night clubs as well, and a survey to be made of all motion pictures shown in Lancaster.

RKO Establishes New Sales District; Ullman Is Recalled

(*Continued from page* 1)

trict with headquarters at Denver. L. S. Gruenberg, St. Louis salesman, will replace Fuller as Salt Lake City branch manager, and B. J. McCarthy, Buffalo salesman, has been named manager of the Denver branch, succeeding J. H. Ashby, resigned.

Other managerial changes include the appointment of Max Westebbe, former RKO manager for Holland, as branch manager at Albany. He succeeds B. G. Kranze in the post, the latter being transferred to Cleveland as branch manager, succeeding George Lefko, resigned.

Clarence B. Wilson, Dallas booker, has been made a salesman at that exchange, filling the vacancy caused by the recent death of J. E. Huey. E. J. Smith, Sr., Des Moines salesman, is being transferred to Buffalo to replace McCarthy on the sales staff there.

'I Wanted Wings' Sets Strong Pace

(*Continued from page* 1)

the week ending tomorrow. It will be held over.

At the Paramount, "Nice Girl?" in its second week, with Charlie Barnet's band on the stage, drew an estimated $18,000 Saturday and Sunday. The film leaves the theatre tonight with an expected $36,000 for the week. "Zanzibar" starts there tomorrow, with Benny Goodman heading the "in person" show.

In its third and final week at the Strand, "The Sea Wolf," with Charlie Spivak and his band on the stage, took about $18,000 Friday through Sunday. "The Great Lie" will open Friday, with Jimmy Dorsey and his band as the stage attraction.

Warners reported a gross of $17,500 for the first five days of the fourth week of "Meet John Doe" at the Rivoli. The film is continuing. "Submarine Zone" drew an estimated $3,000 Saturday and Sunday at the Globe.

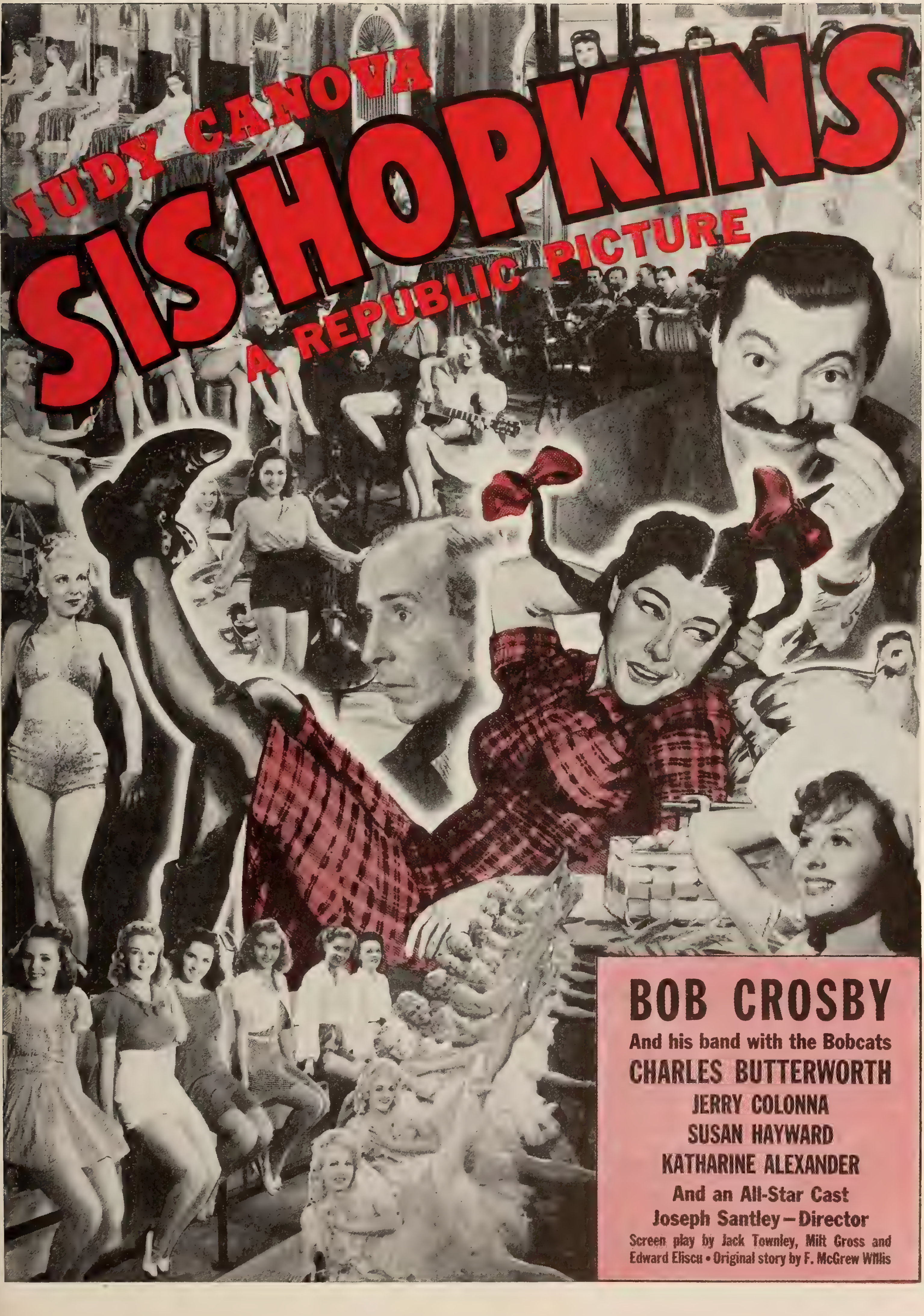
Start Federalizing Mexico Censorship

Mexico City, April 7.—Felipe G. Castillo, at one time Federal film censor, has assumed his new duties as chief of the film censorship and supervision departments organized by President Manuel Avila Camacho as part of the Ministry of Interior. The department has begun the Federalization of film censorship for Mexico.

"All This, and Heaven, Too" has completed a 14-week run at the Cine Rex, 1,000-seat local house. Alfonso S. Tello, former leading Mexican producer, will resume production in Monterey.

Extending Stage Shows

Cincinnati, April 7.—Stage shows will not be discontinued at the 2,150-seat RKO Shubert now as originally planned, the season having been extended until the week of May 2, and longer if suitable bookings can be arranged.



JUDY CANOVA

SIS HOPKINS

A REPUBLIC PICTURE

BOB CROSBY

And his band with the Bobcats

CHARLES BUTTERWORTH

JERRY COLONNA

SUSAN HAYWARD

KATHARINE ALEXANDER

And an All-Star Cast

Joseph Santley—Director

Screen play by Jack Townley, Milt Gross and Edward Eliscu • Original story by F. McGrew Willis

'Nice Girl?' Is Los Angeles' Best, $19,000

Los Angeles, April 7.—"Nice Girl?" and "Scattergood Baines" at two theatres took a total of $19,000, $9,500 each at Hillstreet and Pantages.

Estimated receipts for the week ending April 2:

"The Bad Man" (M-G-M)
"Blonde Inspiration" (M-G-M)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average: $12,500).

"Fantasia" (RKO)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 9th week. Gross: $10,300. (Average: $17,000)

"That Hamilton Woman!" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $8,000. (Average: $3,250)

"Nice Girl?" (Univ.)
"Scattergood Baines" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $9,500. (Average: $6,500)

"The Bad Man" (M-G-M)
"Blonde Inspiration" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average: $14,000)

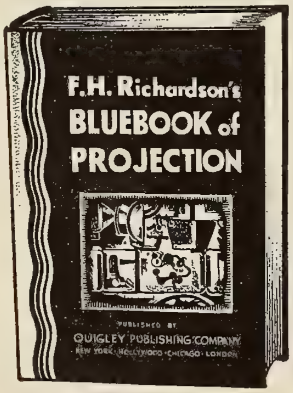
"Nice Girl?" (Univ.)
"Scattergood Baines" (RKO)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. Gross: $9,500. (Average: $7,000)

"The Lady Eve" (Para.)
"The Round-Up" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 5 days, 'Eve.' 2nd week. Stage: "Artist's Models of 1941". Gross: $11,000. (Average: $18,000)

"Meet John Doe" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days, 3rd week. Gross: $12,000. (Average: $14,000)

"Meet John Doe" (W. B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days, 3rd week. Gross: $11,600. (Average: $12,000)

"Gone With The Wind"
UNITED ARTISTS—(2,100) (44c-55c) 7 days, 6th week. Gross: $6,200.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Critics' Quotes . . .

"MEN OF BOYS TOWN" (M-G-M)

The new Boys Town film is stagey, melodramatic and sometimes almost intolerably brutal in its assault upon the emotions. Yet is a soundly based film; it contrives to combine social significance with box-office appeal, and it is redeemed in part by the excellent performances of Tracy and Rooney and a third admirable job of acting by Lee J. Cobb.—*James Francis Crow, Hollywood Citizen-News.*

M-G-M can well be proud of "Men of Boys Town," as I know the fans will be proud of it too.—*Jimmy Starr, Los Angeles Herald and Express.*

As thoroughly inspirational as its predecessor . . . will score an undoubted hit.—*Edwin Schallert, Los Angeles Times.*

Will wear you down emotionally, but it's a picture you won't want to miss. —*Virginia Wright, Los Angeles News.*

Despite all its ruefulness, the picture is highly meritorious with a generous share of comedy.—*Dorothy Guinan, Philadelphia Daily News.*

Indeed, if this reviewer's memory is correct "Men of Boys Town" holds an all-time record for celluloid tear-shedding.—*Laura Lee, Philadelphia, Bulletin.*

One of the most satisfying sequels ever made. A continuation, really, more than a sequel, the picture retains the warmth, the inspirational quality, the humanity that marked "Boys Town."—*Mildred Martin, Philadelphia, Inquirer.*

"THAT HAMILTON WOMAN" (Korda-United Artists)

Altogether, it is a resplendent and vigorously pro-British entertainment. . . . But to my mind it is not the appealing, tragic personal drama it might have been and pretends to be.—*Howard Barnes, New York Herald Tribune.*

He (Korda) had done a lot with a difficult subject and turned it into a saleable melodrama, with tears, pathos, poignancy.—*Lee Mortimer, New York Daily Mirror.*

A handsome costume drama. . . . The picture has been elaborately produced and is a succession of lavish sets and costumes and well staged sea battles.—*Rose Pelswick, New York Journal American.*

A most excellent picture.—*New York Sun.*

Excellent . . . this reviewer was carried away.—*New York Post.*

"ROAD TO ZANZIBAR" (Paramount)

Paramount reunites Bing Crosby, Bob Hope and Dorothy Lamour to turn out one of the funniest screen musicals in several years.—*Newsweek.*

One of the slap-happiest comedies of the season.—*Time.*

Paramount's follow-up to "Road to Singapore" is an improvement over its successful predecessor . . . this one is hilarious, absurd and full of bright quips. —*Virginia Wright, Los Angeles News.*

The new film is just about twice as good as the old one. Crosby and Hope were never better in their comedy interchanges, and their vehicle sums up as slap-happy and surefire.—*James Francis Crow, Hollywood Citizen-News.*

Those who liked the "Road to Singapore" will find that "Road to Zanzibar" has the edge on that picture for entertainment.—*Edwin Schallert, Los Angeles Times.*

"POT O' GOLD" (Roosevelt-United Artists)

Has every indication of living up to its title for fans and producer alike. —*Los Angeles Herald-Express.*

Heidt's music is definitely engaging. And as a melodic entertainment "Pot o' Gold"—while not entirely satisfying—will probably do well enough.—*Los Angeles Times.*

Shrewdly budgeted and in no way arty or pretentious, has all the earmarks of a box-office hit.—*James Francis Crow, Hollywood Citizen-News.*

Has all the attributes that make for popularity at the box-office.—*Louella O. Parsons, Los Angeles Examiner.*

"THE BAD MAN" (M-G-M)

One of Mr. Beery's lesser enterprises, but at that he's the best thing in it.—*New York Times.*

It's nothing like the play, but this screen offspring, with its shootin', fightin' and hearty laughs is much to my likin'.—*Edith Werner, New York Daily Mirror.*

A wordy drama, full of dire epithets and little exciting action.—*Robert W. Dana, New York Herald Tribune.*

What should have been a rip-roaring proposition is as mild as a pussy, without being nearly so entertaining or so agile.—*Dorothy Masters, New York Daily News.*

"THE LADY FROM CHEYENNE" (Lloyd-Universal)

It is a picture of no great import—this "Lady from Cheyenne," but it will likely prove a diversion.—*Edwin Schallert, Los Angeles Times.*

"The Lady from Cheyenne" was produced and directed by Frank Lloyd, who heretofore has made his movies either noticeably good or noticeably bad. This time he crossed everybody up by remaining benevolently neutral.—*Carl Combs, Hollywood Citizen-News.*

An old-fashioned melodrama, made irresistably funny by having the characters play it straight . . . a money maker for Universal.—*Louella O. Parsons, Los Angeles Examiner.*

Club Benefit Net $3,000

St. Louis, April 7.—The first show sponsored by local Variety Club for the benefit of infantile paralysis victims netted $3,000, according to Harry C. Arthur, Jr., chief barker.

Union Plans Party

Philadelphia, April 7.—Plans were made for a social event in May at the St. James Hotel at a general meeting of the Film Exchange Employes' Union, Local B-7.

'Lady', Stage Show Chicago High, $38,000

Chicago, April 7.—"The Lady Eve," with a stage show including Will Bradley's orchestra and Allen Jones in person at the Chicago Theatre, drew a strong $38,000. "Maisie Was a Lady," and Blackstone on the stage of the State-Lake, accounted for $17,000.

Estimated receipts for the week ending April 4:

"Fantasia" (Disney)
APOLLO—(1,400), (50c-75c-$1.10-$1.65) 7 days, 6th week. Gross: $9,000. (Average: $6,500)

"The Lady Eve" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Will Bradley Orchestra and Allen Jones. Gross: $38,000. (Average: $32,000)

"Go West" (M-G-M)
GARRICK—(1,000), (35c-55c-75c) 7 days, 2nd week. Gross: $6,500. (Average: $5,000)

"Romance of Rio Grande" (20th-Fox)
ORIENTAL — (3,200), (25c-40c) 7 days. Stage: Variety Stage Show. Gross: $13,000. (Average: $13,000)

"Mr. and Mrs. Smith" (RKO)
"Vivacious Lady" (RKO)
PALACE—(2,500) (35c-55c-75c) 7 days, 2nd week. Gross: $12,000. (Average: $13,000)

"Mad Doctor" (Para.)
"Monster and Girl" (Para.)
ROOSEVELT — (1,500) (35c-55c-75c) 7 days. Gross: $12,000. (Average: $11,000).

"Maisie Was A Lady" (M-G-M)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Blackstone—Ciro Rimac Orchestra. Gross: $17,000. (Average: $15,000).

"Andy Hardy's Private Secretary" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $12,500. (Average: $14,000)

'Hardy' Baltimore Winner at $16,500

Baltimore, April 7.—Grosses at the downtown theatres continue steady despite the Lenten season. "Andy Hardy's Private Secretary" did big business, taking $16,500 at Loew's Century. "The Sea Wolf" took $10,000 in the second week at the Stanley.

Estimated receipts for the week ending April 3:

"Andy Hardy's Private Secretary" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $16,500. (Average, $10,000)

"The Man Who Lost Himself" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $8,000. (Average, $9,000)

"Footsteps in the Dark" (W. B.)
NEW — (1,581) (15c-28c-35c-55c) 7 days Gross: $7,000. (Average, $7,000)

"Sea Wolf" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $9,000)

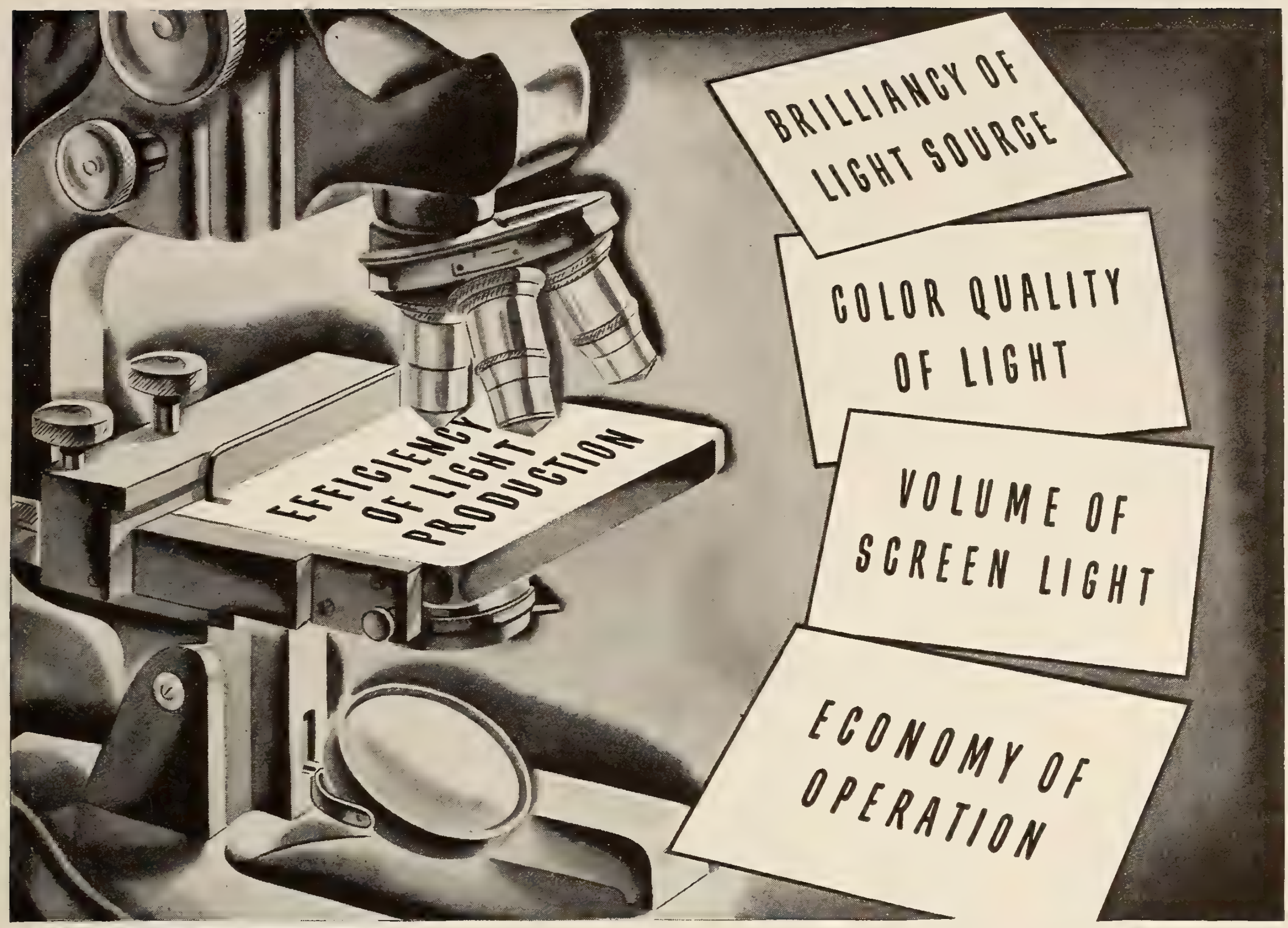
"Adam Had Four Sons" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Anita Louise, in person, Al Trahan, the Six Singing Debutantes and Eddie White. Gross: $15,000. (Average, $14,000)

Plan Canton Theatre

Canton, O., April 7.—A 1,000-seat theatre, to be known as the Dueber, will be erected here on the suburban site of the former Dueber-Hampden Watch Co. plant, at an estimated cost of $75,000. A. M. Dueber is interested in the venture. Work is to be started immediately, with completion scheduled for Sept. 1.

Form Supply Company

Columbus, April 7.—The Amusement Supply and Equipment Co. has been incorporated at nearby Buckeye Lake, with 50 shares of no par stock, by A. M. Brown, Peggy Poulton, B. F. McDonald and George McDonald.



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CBS Sets Largest News Program Sale

CBS yesterday announced the largest sale it has made on a news program with the disclosure that Colgate-Palmolive-Peet will sponsor the Elmer Davis news period 8:55-9 P.M. seven nights a week over 90 stations, beginning June 1. Up to last week, Davis was sponsored four nights weekly by Chrysler and twice weekly by Gillette. The former contract has expired, however. Colgate-Palmolive-Peet has six other shows on the network.

Newsreels, Radio Praised by Knox

WASHINGTON, April 7.—Newsreel companies, broadcasters and newspapers were commended today by Secretary of the Navy Frank Knox for their cooperation in refraining from publicizing the arrival in this country recently of a British warship for repairs.

Admitting that many persons will see ships as they arrive and depart in American ports and that enemy agents can report such movements, Secretary Knox declared that reporting of such activities would be "of inestimable military value to the Germans" and it is a patriotic duty to keep such information at a minimum.

Seek Settlement of Phila. Union Fight

PHILADELPHIA, April 7.—An open meeting to settle actor-agent differences has been called for April 16 at the Commodore Hotel by Richard Mayo, executive secretary of AGVA. Tom Kelly, executive secretary of the United Entertainers Association, local independent actors' union, has been invited to air his differences, along with officers of the Entertainment Managers Association and representatives of the agent licensing division of the Pennsylvania State Department of Labor and Industry.

Decision Reserved In Drama Guild Suit

N. Y. Supreme Court Justice Isador Wasservogel yesterday reserved decision on the application of the Dramatists Guild to dismiss the anti-trust suit brought it by the League of New York Theatres. The complaint had charged the guild with combining illegally to enforce the March 1 pact, which controls the relations between playwrights and theatre managers.

Moss Hart Is Sued

Moss Hart was named defendant yesterday in a suit filed in N. Y. Supreme Court by Frieda Fishbein, a play broker, who is seeking to recover 2½ per cent of all money received by Hart on his plays produced by Sam H. Harris, under a 10-year contract.

Edison Aide Dies

CHICAGO, April 7.—Henry Burr, 59, who aided Thomas A. Edison in early recordings and who made many records during the early days of phonographs, died yesterday. For the past five years he was on "National Barn Dance" on NBC.

Off the Antenna

"DEADLINE DRAMAS" will be one of the features on the first of a series of luncheons given by the Auxiliary of the N. Y. Infirmary of Women and Children at the Waldorf-Astoria next Tuesday. The committee arranging the luncheon includes Mr. Frank E. Mason, chairman; Mrs. Nicholas M. Schenck, Mrs. John A. Brown, Mrs. Roy W. Howard, Mrs. Dean Cornwall, Mrs. Bryce Turner, Mrs. Charles Speaks and Mrs. Lanny Ross.

• • •

Program News: *Rival dog food will sponsor "Music of Today" over WABC* 8:15-8:20 *A.M. Tuesday, Thursday and Saturday beginning today. . . . Ruppert Brewery will sponsor a news period* 10:45-10:50 *P.M. daily over WMCA for* 26 *weeks beginning April* 15. *Ruppert also signed for* 12 *half-minute announcements weekly for* 37 *weeks beginning April* 14.

• • •

In line with its policy of having special features which cannot be heard over the standard stations, WOR's FM station, W71NY, has arranged for Mrs. Franklin D. Roosevelt to be heard on only FM at 12:15 P.M. Thursday. Mrs. Roosevelt will speak on behalf of the Friends of Children, Inc. Her talk will be short-waved to England.

• • •

Four CBS executives will accompany the party of station managers who will be flown from Buffalo to Ontario by the Provincial Government tomorrow in connection with the Ned Sparks program which starts over CBS April 20. They are Lawrence W. Lowman, vice-president in charge of operations; Ted Weber, assistant director of publicity; Thomas D. Connolly, director of program promotion, and William H. Ensign of the sales department.

• • •

Purely Personal: *R. T. Bowman, CBC program producer, has returned to Toronto on a leave of absence after* 15 *months in England as head of the CBC Overseas Mobile Unit. . . . Edward Murrow, CBS London correspondent, will be interviewed on the network Saturday by John T. Frederick. Murrow will be in London and Frederick in Chicago. . . . Jack Campbell has been named sales promotion manager for KGO-KPO, San Francisco. . . . Hugo Bondy, WNEW engineer, has returned after four weeks in the hospital. Bill McGrath, the station's production manager, is home ill.*

• • •

A daytime serial is reported to have been written for Freddie Bartholomew called, "Lord Larry of Littleton." Ted Cott and J. P. Fox are described as the authors. . . . Harry Daly and Gladys Zukor have completed a script for a daytime serial show, "To Reno and Back," according to the latter.

• • •

Mutual on Sunday broadcast an apology to former President Herbert Hoover in connection with a statement made by Rex Stout several weeks ago on the "American Forum of the Air." Stout discussed the incident of the handling of the bonus marchers during Hoover's term of office. Immediately before the program went on the air Sunday, the announcer read a long statement in which the facts of the incident were given in detail. The program is broadcast as a public service feature by the network and speeches are not rehearsed or censored.

Nazi Yugoslavian Move Found Networks Ready

(*Continued from page* 1)

a promotion piece which was mailed Sunday and was on the desks of advertising executives and sponsors yesterday.

Both CBS and NBC continued on the air until 4 A.M. Sunday with frequent news bulletins. CBS gave 45 minutes of continuous news between 2:15 and 3 A.M. On Sunday, CBS opened its network one hour earlier than usual.

NBC also gave the flash to its international division and the short wave stations beamed to Latin America stayed open until 4 A.M. with the latest news, an unusual service.

WOR-Mutual, which does not maintain a listening post, carried the news at the start from the press association wires. Although these wires credited NBC and later CBS, Mutual merely mentioned that it had been received here by "a broadcasting company." Independent stations in this area for the most part gave NBC credit when making the news announcement and followed this practice started receiving credit for news which it was picking up, but others followed Mutual's example.

WOR-Mutual, however, after midnight started picking up B.B.C. and Rome news directly and rebroadcasting it, while the other networks merely sent out digests of these reports. WOR remained open until 4 A.M. while Mutual closed at its usual time, 2 A.M. Throughout Monday, all networks had frequent news bulletins and special pickups from abroad

First news of the declaration of war, was received by NBC from DZD, major German station. As is customary before important announcements, five minutes of martial music was played. As soon as the news came in, NBC newsroom engineers threw a switch which permitted immediate broadcasting over the combined NBC networks from the newsroom. NBC short wave stations carried 22 bulletin announcements and three roundup stories in English and Spanish Saturday night and early Sunday morning.

One Paper to Build FM Station at Once

WASHINGTON, April 7.—Only one newspaper-owned FM station, that of Gordon Gray on Clingman's Peak, N. C., has been given authority for immediate construction, under the policy of the Federal Communications Commission to hold up all such stations until a policy has been worked out on newspaper operation in the FM field, it was disclosed today.

The commission revealed that construction permits have been issued, on condition that building be deferred until its policy has been drafted, to the South Bend (Ind.) *Tribune,* Detroit *Evening News,* Milwaukee *Journal,* Walker & Downing Radio Corp., Pittsburgh; Baton Rouge (La.) Broadcasting Co., and WBNS, Inc., Columbus, O.

Applications of WGN, Inc., Chicago, and Rockford Broadcasters, Inc., Rockford, Ill., for modification of construction permits have been placed on file, as have the applications for construction permits asked by A. S. Abell Co., Baltimore; Mercer Broadcasting Co., Trenton, N. J., and News Syndicate Co., Inc., New York.

Boston Edison Asks FM Station Permit

WASHINGTON, April 7.—The Boston Edison Co. has filed an application with the Federal Communications Commission for a construction permit for a 44,700-kilocycle FM station to cover 6,930 square miles in the Boston area, with a population of 3,075,927.

Also filed with the commission was an application by Hugh McClung for a construction permit for a new 1,590-kilocycle, 5,000-watt station at Fresno, Calif., and the request of Station KFIO, Spokane, Wash., for change of frequency from 1,150 to 1,230 kilocycles, extension of time from day to unlimited and increase of power from 100 to 250 watts.

Mutual Will Open Sales Meet Today

Mutual will hold a two-day sales session at the Waldorf-Astoria beginning this afternoon. The sessions will last from 2 to 4:30 P.M. and about 200 agency and sponsor executives are expected. Fred Weber, general manager, will open the meeting and Edward Wood, sales manager, will preside. Robert Schmid, promotion manager, and Adolph Opfinger, program coordinator, are among those scheduled to speak.

Settle Cohan Action

George M. Cohan compromised his suit for $5,000 against Maurice A. Richmond and Max Mayer, trading as the Paull-Pioneer Music Co., during trial before Federal Judge Henry W. Goddard yesterday. The plaintiff had brought suit for an unspecified sum allegedly due for royalties on 49 songs which he had composed.

Friday Indiana Holiday

INDIANAPOLIS, April 7.—Gov. Henry F. Schricker of Indiana has proclaimed Good Friday a legal holiday in the state, as designated by legislation enacted at the recent biennial session of the Indiana General Assembly.

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Film Groups Fight Minn. Anti-5 Bill

Three Organizations Urge Defeat by Senate

Minneapolis, April 8.—A fight has started against Northwest Allied's anti-consent decree booking bill, passed almost unanimously last week by the Minnesota Assembly, as three organizations today placed themselves on record against it and circularized state Senators, asking them to oppose the measure.

The bill is expected to come up before the Senate some time this week for a vote. It already has been recommended for passage by the Senate General Legislation Committee, despite opposition by Loew's, RKO, Warner and 20th Century-Fox.

The protesting organizations are the Council of Parent-Teacher Associations of Minneapolis Public Schools, the Fifth District Minnesota Federation of Women's Clubs and the

(*Continued on page* 5)

Three Cities Seek '42 Variety Club Meet

Atlantic City, April 8.—Three cities, Miami, Washington and Los Angeles, have already entered their bid for the 1942 convention of the Variety Clubs of America, it was reported here today.

Meanwhile, it was announced that early reservations are coming in large numbers for this year's convention to be held here May 15 to 17. J. Edgar Hoover, chief of the F.B.I., and other Government officials will attend. Carter Barron, chairman of the dignitaries committee, is lining up the Washington delegation.

Among the entertainment will be a deep sea fishing trip and sailing parties on the first day, starting at noon, following a business session in the morning.

Welles Ordered to Rest by Physician

Orson Welles is retiring to a private sanitarium for a brief rest, on the advice of his personal physician, who will remain with him during his stay, RKO announced yesterday.

Welles' first film, "Citizen Kane," will be shown to the press today at

(*Continued on page* 2)

Report RKO Will Release 'Fantasia'

Hollywood, April 8.—It is reported that Disney officials and RKO executives have been discussing the possibility of RKO handling the general release of "Fantasia," now being roadshown under Disney's auspices in several cities around the country.

Such general release of the film, it is reported, would follow the completion of these roadshow runs.

British Committee Meets Tomorrow On Film Manpower

London, April 8.—A newly appointed committee, sponsored by the British Government, will hold its first meeting on Thursday, undertaking a thorough investigation of the film industry situation, following urgent industry pleas for steps to avert a threatened serious shortage of industry manpower.

The committee, including representatives of British producers, Government departments and American interests, will explore the entire production situation, examining industry needs and mechanical problems and the question

(*Continued on page* 9)

Over 9,000 Houses Support Defense, Bernhard Reveals

Many of the exhibitors who have not yet pledged their cooperation to the Motion Picture Committee Cooperating for National Defense "are not informed concerning the function or the purpose of this voluntary union of theatre men," Joseph Bernhard, chairman, declared yesterday in announcing that the participating theatres have now passed 9,000.

Joseph Bernhard

Bernhard announced that the second one-reel film approved by the committee, titled "Calling All Workers," is now ready for release. The first reel was "Power for Defense." These films are in addition to the series of 12 one-minute recruiting trailers shown for the War Department.

Bernhard said yesterday: "I want to make it clear and emphatic that the committee does not handle commercial film. Its review section passes on films prepared by the Government on

(*Continued on page* 5)

U.A. Advances 1941-'42 Sales Season to May

Regional Meetings' Start Delayed to April 28

Hollywood, April 8.—United Artists has advanced the start of its 1941-'42 selling season to May, to begin immediately after the company's regional sales meetings, the first of which has been postponed from April 14 to April 28, Arthur W. Kelly, vice-president in charge of distribution, disclosed here today. The company's selling usually has started in July.

Maurice Silverstone, chief of world-wide operations, meanwhile is discussing a deal with John M. Stahl whereby the producer, now with Columbia, would join the U.A. roster.

Silverstone and the company producers have embarked on a "long-range" planning program. His current discussions here center on the 1942-'43 program as well as the product lineup and selling plans for 1941-'42.

Kelly said the sales season will be advanced to insure a regular flow of product to the exhibitor during the

(*Continued on page* 5)

Boston Clearance Hearing Halted on Demand for Run

Boston, April 8.—The hearing on the Garbose Bros. complaint against all five consenting companies was postponed today to April 14 by John A. Daley, arbitrator, when distributors' counsel made the point that the demand for an adjustment of clearance by the plaintiff was, in reality, a demand for a specific run not authorized by the decree.

The same issue has arisen in other clearance complaints, counsel for the distributors pointed out, adding that the decree does not empower an arbitrator to designate the run that a complaining exhibitor should receive. A reduction of a complainant's clearance to a day and date engagement with a competitor can give the complainant a specific run which he is not entitled to under his contract, it was pointed out. The decree provides that arbitrators may designate maximum clearance; may direct a distributor to offer some run, but not a specific run,

(*Continued on page* 9)

NBC Starting 'News Exchange' April 28

NBC-Blue will start a new type of newscasting April 28 with a program called "The News Exchange," to be heard Mondays, 9 to 9:30 P. M. It will feature a permanent board of commentators, with four selected for each program.

The board will consist of H. V. Kaltenborn, Lowell Thomas, John W. Vandercook, John Gunther, Edward Tomlinson, Earl Godwin, Raymond Clapper, Baukage, Upton Close, Helen Hiett, T. R. Ybarra, Maj. Gen. Stephen O. Fuqua, and members of the NBC foreign staff now here.

Although full details were not disclosed, it was revealed that the program will be built to give the impression of a stock exchange with the commentators as "traders" trading in news items. Don Goddard will act as "news governor."

Kranze Testimonial In Albany April 28

Albany, April 8.—A testimonial dinner will be given Bernard Kranze at the New Kenmore Hotel on April 28. Kranze, former RKO branch manager here, has been transferred to Cleveland as branch manager. Replacing him here is Max Westebbe, former manager in Holland.

In charge of the local dinner will be: Moe Grassgreen, chairman; M. A. Silver, Lou Golding, C. A. Smakwitz, Clayton Eastman, Paul Kruemanacker, Nathan Sodikman, Arthur Newman, Herman Ripps, Joseph Miller, Jerry Spandau, Meyer Schine, Louis Schine, William Smalley and Mike Kallet.

In Today's Issue

Three reviews, "The Lone Wolf Takes a Chance," "Billy the Kid's Fighting Pals," "Pirate of the Seven Seas"—Page 5. Ascap opens contract negotiations with Mutual Broadcasting System—Page 8.

Stunt Man

Baltimore, April 8

A PUBLICITY man, such as Irving Martin, who is also acting assistant manager of Warners' Stanley here, is expected to create stunts for exploitation of pictures. However, he does stunts for himself. Martin has made a hobby of wire-walking. Every Sunday he goes to an estate near Annapolis where he keeps his equipment. He declares he "hasn't fallen for years."

Welles Ordered to Rest by Physician

(*Continued from page 1*)

the Broadway here and at the Ambassador, Los Angeles.

Essaness Seeks 'Kane' for Chicago

CHICAGO, April 8.—Essaness Theatres reportedly are bidding for "Citizen Kane" for the local roadshow engagement at its Woods Theatre in the Loop. No definite agreement has been made and local reports are that RKO is considering opening the picture at its own Palace Theatre here.

Cut Price in Seattle

SEATTLE, April 8.—John Danz has reduced admission prices at his key Palomar Theatre here. Matinees are now 21 cents until 5 P.M., instead of 30 cents as heretofore. Evening prices have been dropped from 50 cents to 40 cents.

Personal Mention

HARRY COHN, president of Columbia, and NATE SPINGOLD are due here today from the Coast.

•

HARRY C. ARTHUR is in town from St. Louis.

•

WILLIAM K. SAXTON, Loew's city manager in Baltimore, returns there today after a New York visit.

•

H. L. HANCOCK, 20th Century-Fox salesman in Indianapolis, is in St. Vincent's Hospital there, recovering from injuries sustained in an automobile accident.

•

JOHN PRESTON, manager of the Uptown, Indianapolis, has been drafted.

•

WILLIAM M. JAMES, veteran Ohio exhibitor, who was ill in Florida, has returned to his home in Columbus.

•

G. C. COFFMAN, exhibitor in Osceola, Mo., has been elected mayor of that town.

•

ARTHUR WILLI, Eastern talent scout for RKO, left yesterday for Chicago.

•

J. LAWRENCE SCHANBERGER, manager of Keith's, Baltimore, will spend next weekend at Emmittsburg, Md.

•

WILLIAM FERGUSON, HARRY KOSINER, JAMES A. CRON, DWIGHT WIMAN, BUDD ROGERS, LOU POLLOCK, CHARLES PAINE and IRWIN MARGOLIES lunching at the Tavern yesterday.

•

WALTER BRANSON, RKO Midwestern district manager, and NAT LEVY, Eastern district head, are visiting here.

•

J. J. UNGER, OTTO HARBACH, WILLIAM ORR, JOHN W. HICKS, SIDNEY PHILLIPS, MAX A. COHEN, IRVING CAESAR and MAX DREYFUS lunching at Nick's Hunting Room in the Astor.

•

ADOLPH ZUKOR, BARNEY BALABAN, BORIS MORRROS, ALEC MOSS, OTTO PREMINGER, CHARLES SONIN, E. K. O'SHEA, DAVE WESHNER, CLAYTON BOND and FRANK PHELPS at Sardi's yesterday for lunch.

•

EDWARD SCHNITZER, HASKELL MASTERS, CHARLES STERN, HARRY GOLD and HARRY BRANDT, having lunch yesterday at Lindy's (51st St.).

•

MONROE GREENTHAL, IRVIN SHAPIRO and LOU WEINBERG at Lindy's (next to the Rivoli) yesterday for lunch.

•

JOHN QUEALLY and JOSEPH CAZMINA of the Poli, Worcester, Conn., have entered military service.

•

NEIL AGNEW, SAM SHAIN, JOHN D. HERTZ, JR., CHARLES E. MCCARTHY, HERMAN WOBBER, WILLIAM SUSSMAN, GORDON E. YOUNGMAN, ROBERT MOCHRIE and L. E. THOMPSON at Toots Shor's yesterday for lunch.

Newsreel Parade

SUBJECTS of defense significance such as the Army Day parades and the labor strikes form a substantial part of the new issues. The contents:

MOVIETONE NEWS, No. 61—Army Day in Washington; parade in New York. Franklin Roosevelt, Jr., in Navy. Study German airplane here. [illegible] aground off Oregon. King George and Queen Elizabeth in Plymouth, Australian premier in Palestine. Greek and Yugoslav envoys here vow fight to the last. Churchill and Winant sign bases deal. Army tank demonstration in Maryland. Golf tournament in Florida. Aquatic carnival in Sydney. Wisconsin co-eds play billiards.

NEWS OF THE DAY, No. 259—British speed aid to Yugoslavia. Churchill signs over bases to U. S. German freighter burns off Costa Rica. Soviet ship battered in storm off Oregon. Strikes continue. Plane crash in Florida. Spring baseball.

PARAMOUNT NEWS, No. 64—Skiing in Oregon. New York youngsters play baseball. Franklin Roosevelt, Jr., enters naval service. Italian naval attache asked to leave Washington. Axis ship off Costa Rica sabotaged. Tank production rushed in Maryland. Air fields in British Columbia for Canada and U. S. American experts study German airship. News of new Nazi moves reaches here. Army day demonstrations.

RKO PATHE NEWS, No. 64—The strike situation. Winant and Churchill sign bases pact. Nazi ships afire off Costa Rica. Franklin Roosevelt, Jr., in the Navy. Army Day parades. Russian ship runs aground off Oregon. Airliner crashes in Florida. Fire in Washington warehouse. New York boys open baseball season Masters' golf tournament in Georgia.

UNIVERSAL NEWSREEL, No. 969—Army Day parades. Army tests new tank. New airfield in Alaska. Naval base contract signed in London. Strikes in Washington and Michigan. Plane crashes in Florida swamp. Nazi warplane here for test. Russian freighter aground off Oregon. Franklin Roosevelt, Jr., reports for Navy duty. Baseball in Manhattan.

Hold Open House At New NSS Office

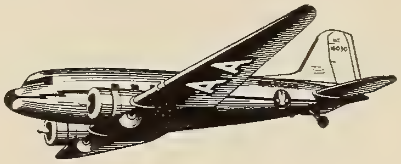
Leo Abrams was officially installed as manager of the New York exchange of National Screen Service yesterday as that office on the second floor of 630 Ninth Avenue opened with a "housewarming." Abrams, formerly short subjects sales manager for Universal, greeted exhibitor and exchange associates.

Mono. to Have Four Regional Meetings

HOLLYWOOD, April 8. — W. Ray Johnston, Monogram president, today announced that the company will have a series of four regional sales meetings. The first starts in San Francisco on Saturday.

The second meeting will be in Chicago April 20, at the Congress Hotel.

The third meeting will be in New York, April 27, at the Warwick Hotel for Eastern exchanges. The final meeting will be for the Southern district, with the city and date not set.



CALIFORNIA

AMERICAN'S SOUTHERN SUNSHINE ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through the sunshine of Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

VITACOLOR
PRESENTS

PERFECT TWO AND THREE COLOR 16mm SOUND PRINTS from your negatives, including Kodachrome. Uniform, highest quality, color corrected, permanent, transparent prints on

GASPARCOLOR film.

Delivered speedily at competitive prices! Demonstrations arranged by appointment. Also complete facilities for taking 35mm two and three color negatives.

Two and three color 16mm prints also made from 35mm separation negatives.

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MOTION PICTURE DAILY
(*Registered U. S. Patent Office*)

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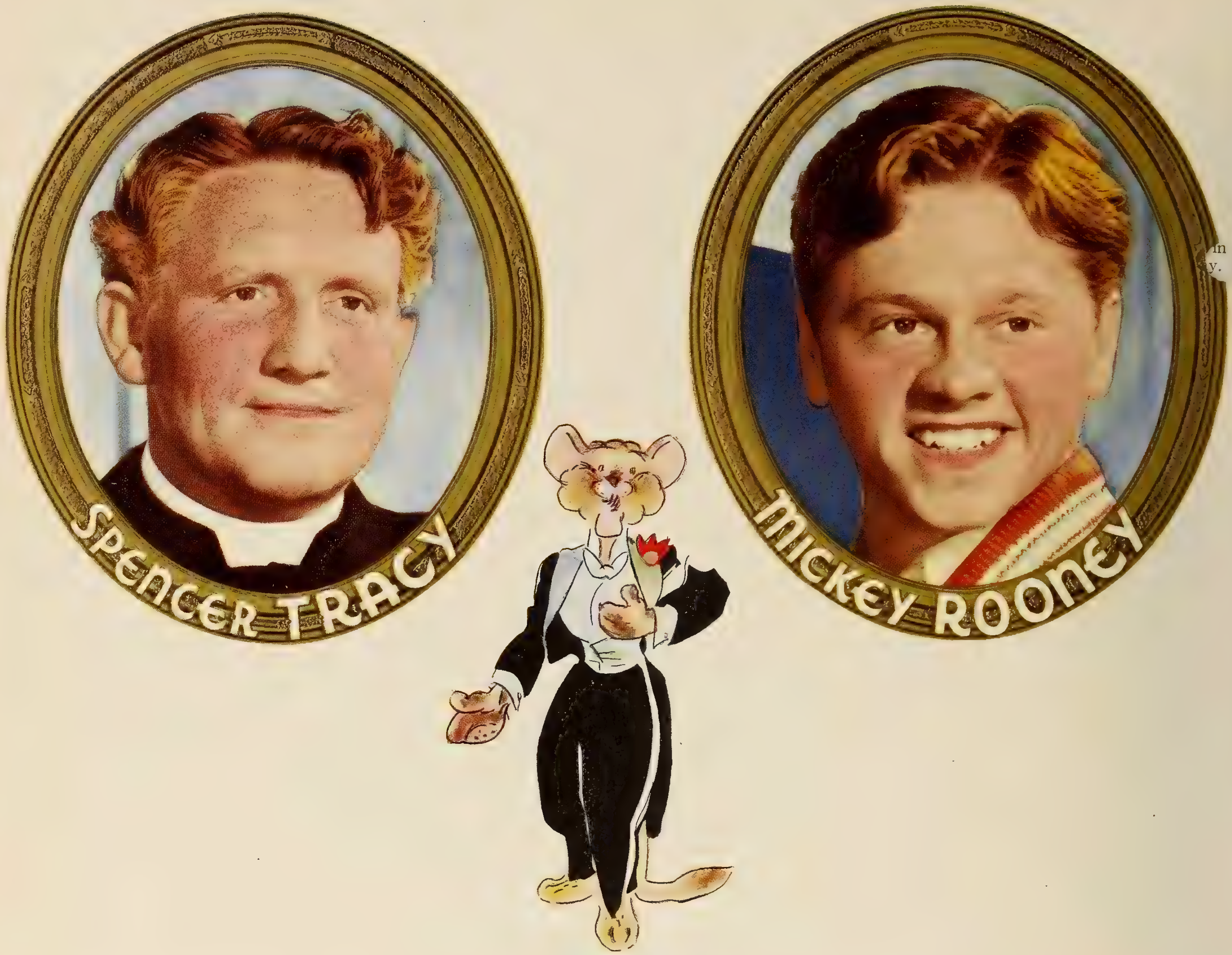

FROM A FULL HEART

M-G-M takes this opportunity
To thank all who took part
In the making of "MEN OF BOYS TOWN,"
Towering over the earlier record-setting triumph.
It is rich beyond rosiest dreams in
Those assets of thrill and humanity and Star Power
That foreshadow box-office immortality!
To the screen's Greatest of All Time
Add "MEN OF BOYS TOWN."

SPENCER TRACY • MICKEY ROONEY

"MEN OF BOYS TOWN"

with Bobs Watson • Larry Nunn • Darryl Hickman • Henry O'Neill • Mary Nash • Lee J. Cobb • Original Screen Play by James Kevin McGuinness • Directed by Norman Taurog • Produced by John W. Considine, Jr. • A Metro-Goldwyn-Mayer Picture

U.A. Advances 1941-'42 Sales Season to May

(*Continued from page* 1)

summer. He said the sales meetings were postponed two weeks to permit district managers to make changes in personnel setups he already has approved. The first meeting will be in New York, with others in New Orleans, Cleveland, Chicago and San Francisco.

Productions to Start

Kelly plans to leave for New York in a day or two. Silverstone will remain here another week or 10 days to continue discussions with the producers.

Meantime, Alexander Korda plans to start production on "Illusions" in three weeks; Edward Small will start "G-Man Versus Scotland Yard" in two weeks, and Walter Wanger will get "Sundown" under way next month, with Korda planning to start "Jungle Book" in June.

Over 9,000 Houses Support Defense, Bernhard Reveals

(*Continued from page* 1)

various phases of the defense effort. This group recommends changes or revisions and only when finally acceptable to the committee are these Government films accepted for a showing in the theatres which have pledged cooperation and become members. These films are furnished free to the theatres. When exhibitors show these films they do so as a patriotic duty.

"While on the positive side, it is the aim of the committee to maintain national morale, to keep the public informed about the various phases of the defense effort, it also attempts to keep the film which it accepts on behalf of its 9,000 members, as attractive as possible, so that the public is entertained as well as informed."

A Coordinating Committee which determines the pictures to be shown in theatres includes R. B. Wilby, chairman; A. H. Blank, Charles C. Moskowitz, Spyros Skouras and E. V. Richards.

Distribution Sources

Exchanges which are distributing the reels are: Cleveland, United Artists; Cincinnati, Universal; Buffalo, United Artists; Albany, Columbia; Pittsburgh, Warners; New York, Loew's; Boston, Columbia; New Haven, Warners; Philadelphia, Warners; Washington, Universal; Atlanta, Paramount; Charlotte, United Artists; Memphis, Loew's; New Orleans, Paramount; Dallas, RKO; Oklahoma City, RKO; Chicago, Paramount; Detroit, Loew's; Indianapolis, Universal; Milwaukee, 20th Century-Fox; Minneapolis, Universal; Kansas City, 20th Century-Fox; St. Louis, Warners; Des Moines, Columbia; Omaha, Columbia; Los Angeles, 20th Century-Fox; Denver, 20th Century-Fox; Portland, Paramount; Salt Lake City, Loew's; San Francisco, RKO; Seattle, RKO.

Feature Reviews

"The Lone Wolf Takes a Chance"

(*Columbia*)

ACCUSED of murder in his inevitable battle of wits with the police on one hand and criminals on the other, the Lone Wolf, alias Michael Lanyard, alias Warren William, herein provides the expected quota of excitement in a film admirably suited to its purpose, pleasing the screen audience which likes its entertainment well laden with suspense and action.

This time William, again most ably assisted by Eric Blore, as the valet with a taste for blood and adventure, becomes involved in a murder, and in trying to establish his own defense, lands hot on the trail of a criminal gang which seeks to steal currency engraving plates from a newly invented burglar-proof railroad car.

As Sidney Salkow directed the story, based of course on the Louis Joseph Vance character, it has pace and excitement a-plenty. June Storey, Henry Wilcoxon and Thurston Hall are chiefly involved in the support. The character of the stupid detective is overdone to the point of being completely ridiculous.

Running time, 73 minutes. "G."* CHARLES S. AARONSON

"Billy the Kid's Fighting Pals"

(*Producers Releasing Corp.*)

SHERMAN SCOTT has directed and Sigmund Neufeld has produced a fast moving western in another of Billy the Kid's adventures. With no songs or romance to slow up the pace, the story is a series of gun battles and fist fights with an occasional touch of comedy.

Billy (Bob Steele) with his two pals, Al "Fuzzy" St. John and Carleton Young, while running away from the sheriff, discover a marshal who has been ambushed. After taking the marshal to safety, the trio decide to pick up the marshal's mission.

They find a town where gunmen are terrorizing the ranchers and businessmen in an effort to drive the latter away and establish the locality as headquarters for smuggling operations. Fuzzy is compelled to act as marshal against his will, but his pals get him out of the scrapes and eventually round up the gang.

Running time, 62 minutes. "G."* EDWARD GREIF

"Pirate of the Seven Seas"

(*Film Alliance*)

THIS British pre-war effort in melodrama at sea—mutiny and a form of piracy aboard a Singapore ship carrying a few passengers—fails to yield the sustained suspense and excitement which might distinguish it from minor importations.

Robust brawls, highlights of the film, are unimpressively staged and brief bits of comedy interrupt the story. There are some tense moments as the story develops, but these are hardly capable of holding the interest throughout.

The British cast is adequate. John Lodge has the top assignment, captain of the vessel, and is assisted by Judy Kelly, a passenger; Kennet Kent, a suave China seas pirate, who is bent on stealing pearls from Lodge, and others.

Running time, 60 minutes. "G."*

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* *"G" denotes general classification.*

'U' Executives Going To Durbin Nuptials

J. Cheever Cowdin, Universal board chairman, will leave for the Coast by plane next Tuesday to attend the wedding of Deanna Durbin to Vaughan Paul on Friday.

Nate J. Blumberg, Universal president, who will arrive from Panama Sunday on the *Cristobal,* will leave for the Coast Monday, also to attend the wedding. The two will remain at the studio for an extended business visit.

Cameraman to London

Raymond Elton, March of Time cameraman from London, left yesterday for Halifax, N. S., from where he will sail for his post in England. He arrived in the United States last month.

Republic Plans Film On Lewis and Clark

HOLLYWOOD, April 8.—Republic today disclosed that it is planning its "biggest picture," to be called "High Road to Oregon" and starring Gene Autry, John Wayne and Roy Rogers. The background will be the Lewis and Clark expedition. Autry will play Lewis and Wayne will have the Clark role. The studio said H. J. Yates ordered preparation of the film following suggestions made to him recently in St. Louis. It is planned to have premieres in St. Louis and Portland, Ore.

Peckham on Sales Trip

Ralph E. Peckham, sales director for "The King of the White Elephant," leaves tomorrow on a sales trip to Boston and other cities.

Film Groups Fight Minn. Anti-5 Bill

(*Continued from page* 1)

Federal Motion Picture Council of America, Inc.

Letters were signed by C. B. Johnson, chairman of the legislative committee of the PTA Council; Mrs. Frank Kurtz, chairman of the Better Films Committee of the Women's Clubs Federation, and Mrs. Robbins Gilman, president of the Motion Picture Council. Mrs. Gilman also is chairman of the Motion Picture Committee of the National Council of Women and a member of the executive committee of the National Motion Picture Research Council, Inc. Also, for three years she was chairman of the national films committee of the National Congress of Parents and Teachers.

Says Bill Less Adequate

Citing the consent decree as "nationwide in power, purpose and operation," Mrs. Gilman's letter said: "Until this fundamental effort of the Government has been tried, it would seem not only superfluous but doubtful procedure for the state to enact a less adequate and wholly inefficient and expensive measure.

> **"In my judgment the bill has no merit in itself for the exhibitor or the public, and will serve only to confuse the issues and nullify the protection the people and the independent exhibitor will receive through the consent decree."**

The Federation's communication said: "We have taken the position that block booking was a bad practice. Senate File No. 651 (the anti-decree measure) not only expressly approves block booking but makes it compulsory. We therefore oppose the bill." The Federation also asks a trial for the consent decree.

'No Reason' for Passage

The PTA council declared: "It seems to us that the accomplishments of the Department of Justice are being nullified. We have for years opposed the principle of block booking, and it comes as a great shock to us to learn there is a movement to reinstate block booking in Minnesota. We are frank to state we have been unable to find any reasons that could justify the passage of Senate File No. 651."

William Seiter Is Guest at Reception

Universal was host to William Seiter, director, at a cocktail party yesterday at the Terrace Room of the St. Moritz. Seiter, who has two more pictures to make on his current Universal contract, will leave for the Coast on Friday with his wife, Marian Nixon.

Among those at the reception were Charles D. Prutzman, Sam Shain, Louis Pollock, P. S. Harrison, William Boehnel, May Kelley, Elizabeth Lockwood, James Dunn, Radie Harris, Larney Goodkind, Phillip Hartung, Frederick James Smith, Chester Bahn, Ruth Morrow, Louise Levitas, Sherwin Kane and Robert Stolz.

THE BIG TOUCH-AND-G

(It's the Lubitsc

"This is Lubitsch—bottled in bond, 100 proof Lubitsch—all Lubitsch and utterly delightful. It should prove a solid audience hit."—*Hollywood Reporter*

"Has a potential for profitable grosses. Lubitsch has lost nothing of his inimitable touch!" —*Hollywood Variety*

"Good box-office!" —*Film Daily*

"Lubitsch delivers a comedy drama of married life that sparkles." —*Motion Picture Daily*

"For an advanced course in the sort of fluff and nonsense which has been the Lubitsch trade mark, 'That Uncertain Feeling' is a prerequisite." —*Time Magazine*

"Pic of the Week—an appetizing cinematic froth!" —*Jimmie Fidler*

"One of the most amusing pictures this writer has ever seen. Lubitsch is still the master of subtle comedy. Merle Oberon is superb!" —*Louella O. Parsons*

"Rates high as entertainment. 'That Uncertain Feeling' has a certain feeling of being an outstanding hit." —*Los Angeles Herald and Express*

the last word in the dictionary
is ZYZZOGETON ... *but*
The Last Word in Great Comedy
is LUBITSCH!

PICTURE!

ouch that makes 'em go!)

SOL LESSER presents

Merle OBERON Melvyn DOUGLAS

IN Ernst Lubitsch's

THAT UNCERTAIN FEELING

with **BURGESS MEREDITH**

and ALAN MOWBRAY · HARRY DAVENPORT · EVE ARDEN · SIG RUMANN

Produced and directed by ERNST LUBITSCH

Screenplay by Donald Ogden Stewart · Adaptation by Walter Reisch · Released thru United Artists

Next Attraction

RADIO CITY MUSIC HALL

Ascap Opens Negotiations With Mutual

Ascap yesterday opened negotiations with Mutual Broadcasting System for a new licensing agreement. Mutual is conducting its own negotiations. No arrangements have been made by Ascap yet for a meeting with the National Association of Broadcasters, which will conduct preliminary negotiations for NBC and CBS.

Meanwhile, indications are that revisions of Ascap's by-laws to conform with the Federal consent decree will be completed in the next week or two, making it possible for the annual meeting of the society's membership to be held about April 28.

The meeting is scheduled to apply the decree's provisions for election of directors by the membership for the first time, despite the fact that the decree does not go into effect until June 4.

Early discussions with Mutual have been on the basis of an exchange of ideas on the "per program" licensing formula proposed by Ascap. Numerous suggestions for changes in the formula as drafted by Ascap, and additions to it, have been made, and will be incorporated in the revised formula when it is returned for further negotiations today.

Payment at Source

The formula calls for payment of the licensing fee at the source, that is, by the station originating the program for which the music license is issued. The fee proposed at present is based on a percentage of the sum which the originating station receives from the sponsor, in the case of commercial broadcasts, and on the basis of a percentage of average time evaluations, in the case of sustaining programs.

Whether this fee will be paid entirely by the originating station, or will be apportioned among Mutual stations which carry the licensed programs, is not a matter for discussion in the negotiations with Ascap but will be decided later by Mutual stockholders.

Representing Mutual in the negotiations are Alfred J. McCosker, chairman of the board; Fred Weber, general manager, and Emanuel Dannett, attorney. The Ascap radio committee, headed by E. C. Mills, chairman of the executive committee, and John G. Paine, general manager, is representing the society. If a formula is agreed upon in the negotiations it will have to be submitted to Mutual's stockholders for ratification, since the negotiators for Mutual are not authorize to commit the stockholders to an agreement.

The formula is reported facing numerous complications and no early prospect of an agreement is seen at the moment. An approved formula for Mutual is likely to differ in many respects from whatever formula is presented to NBC and CBS, because of the basic operating differences in the networks.

The new by-laws will have to be ratified by the membership before the election of directors is held, and several meetings may be required for the adoption of the by-laws. The terms of 11 of Ascap's 24 directors have expired, and the membership, participating in its first election, will have an opportunity to elect almost half of the board. Four more directors' terms will expire next Dec. 31.

The directors whose terms already have expired are: Will Von Tilzer, Gustave Schirmer, George Fischer, Walter S. Fischer, J. J. Bregman and J. J. O'Connor, publishers; and Otto Harbach, Edgar Leslie, Oley Speaks, Deems Taylor and J. H. Mercer, writers.

Off the Antenna

THE budget for WNYC, New York City Municipal Station, will come up for hearing next Tuesday. Talent unions will be present to ask for compensation for performers who are heard on the station but it is reported that they hold little hope for such a measure because of the city's economy drive.

• • •

Program News: *Manhattan Soap Co. will sponsor news Monday through Friday* 9:05-9:10 *A.M. for* 12 *weeks over WEAF, effective April* 28. . . . *Browning King will sponsor an Associated Press news period over WQXR* 7:55-8 *A.M. daily for* 13 *weeks. . . . Loew's Theatres will use* 17 *spot announcements for "I Wanted Wings" over WQXR. . . . L. N. Renault & Sons are sponsoring Ed Fitzgerald over WOR in a series describing New York City restaurants, Tuesdays and Thursdays* 11:15-11:20 *P.M. and Saturdays at* 9:55-10 *A.M.*

• • •

RCA is constructing a short wave station to be operated by the Brazilian Government in Rio de Janeiro with 50,000 watts, it was disclosed yesterday by J. M. Smith, RCA vice-president in charge of the RCA manufacturing plant in Indianapolis. The plant is making studio installations, transcription turntables, master control-room equipment, microphones and antennas.

• • •

Procter & Gamble will increase its station list on four of its daytime serials and reduce it on one over CBS when Daylight Saving Time goes into effect April 28. Products advertised on the programs will also be shifted.

Sixteen stations will be added for "Women in White" for a total of 50 CBS stations and 25 CBC stations will be added at the same time, with Oxydol advertised instead of Camay soap. "Life Can Be Beautiful" adds five for a 42 total with the product changed from Ivory soap to Ivory flakes; "Road of Life" will add seven for a total of 33, with the present stations continuing to advertise Ivory chips while the new stations will sponsor Dreft. The present network of 38 CBS and 17 CBC stations for "Right to Happiness" will be increased by six CBS stations.

On the same day, "The Goldbergs," heard at 5 P.M., and "The O'Neills," at 5:15 P.M., will switch broadcast time. The former serial will change products from Oxydol to Duz and will drop four stations for a total of 18. "Those We Love" heard Mondays only 8-8:30 P.M. will continue on 71 stations. All the other programs are heard Monday through Friday.

• • •

Purely Personal: *Arthur Chapman, Jr., who was with the publicity department of the World's Fair, yesterday joined the CBS publicity department. . . . John M. Carney, formerly with General Amusement Co. and Music Corp. of America, has joined the WINS sales staff. . . . The engagement has been announced of Edith C. Fetzer to William B. Hoffman of the WOR sound effects department. . . . Charlie Teagarden has organized a new band which will open Friday at Donohue's in Mountain View, N. J.*

• • •

A temporary injunction sought by the N. Y. College Teachers Union and the Committee for the Defense of Free Education against WMCA, the FCC, the Joint Legislative Committee investigating the educational system, and some individuals, from interfering with a WMCA series sponsored by the union called "The Truth About the Schools," was denied yesterday without prejudice by Federal Judge John C. Knox. The Joint Legislative Committee is investigating the alleged spread of Communism in the school system. The injunction application set forth that Donald Shaw, WMCA manager, and Leslie E. Roberts, program director, had been subpoenaed by the Committee and that, as a result, the station was threatening to discontinue the program.

Metro to Produce Play

M-G-M has bought the play, "We Fought at Argues," by Frederick Hazlitt Brennan, and plans to produce it on Broadway.

Ray Milland Due Today

Ray Milland is due from the Coast today by plane for a vacation.

Ohio Anti-Ascap Bill Is Expected to Die

COLUMBUS, April 8.—Ohio's anti-Ascap bill appears destined to die in committee, where it is now, legislative observers here believe.

Apparent conflict between the measure and existing state and Federal laws governing intrastate and interstate commerce are cited as reasons for the slight likelihood of the measure being advanced prior to adjournment of the present General Assembly session.

The bill was opposed by John G. Paine, Ascap general manager, and Louis D. Frohlich, Ascap counsel, at a committee hearing held here recently. Ohio theatre interests also are said to be opposed to the measure. It was supported by the Ohio Hotel Men's Association and by William J. Holz, Assistant Attorney General of Nebraska, who sponsored a similar measure enacted in that state two years ago.

Blackout

Pittsburgh, April 8

THE Harris Denis Theatre was darkened for 45 minutes when a kite string fell over electric light wires in suburban Mt. Lebanon and caused a short circuit. An emergency lighting system was pressed into service.

Weber Tells 'Clini[illegible] About Mutual Setup

"Mutual advocated that no restrictions should be imposed where an adequate number of comparable stations existed to give at least three or four networks direct competition," Fred Weber, Mutual general manager, yesterday told a group of about 50 advertising agency executives at the Waldorf-Astoria, in discussing the network's stand on the FCC monopoly report.

The meeting was arranged as an "advertising clinic" by Mutual to point out the advantages to sponsors in Mutual's setup where a flexible number of stations can be hooked up.

Others who spoke included Edward Wood, sales manager; Robert Schmid, promotion manager; Adolph Opfinger, program coordinator, and Lester Gottlieb, publicity director. The meeting will be repeated today for another group of agency executives.

'Lone Ranger' Killed In Michigan Crash

DETROIT, Mich., April 8.—Earle Graser, 32, who played the title role in the "Lone Ranger" series for nine years, was killed in an automobile accident at 5 o'clock this morning near his home at Farmington, Mich. Graser made the cry, "Hi-Yo, Silver!" a familiar sound all over the country.

The program, which originates from WXYZ, Detroit, will be continued with Brace Beemer in Graser's role. Mutual announced yesterday that it had secured a sponsor for the program in General Mills which will use 43 stations three times weekly for the show, beginning May 5.

Graser is survived by his widow, Jean, and a one-year-old daughter, Gay.

Brown Is Elected WE Vice-President

At a meeting of stockholders of Western Electric Co., Inc., yesterday, Walter Brown of Huntington, W. Va., was elected a director, succeeding T. Brooke Price, who has resigned to become general attorney for the A. T. & T. Co. Brown later was elected by the directors a vice-president and general counsel, and by the directors of Electrical Research Products, Inc., was named general counsel, succeeding Price.

Coin Film Machines Start in Connecticut

NEW HAVEN, April 8.—Connecticut's first coin film machines have made their appearance in New Haven, Hartford, New London, Bridgeport and Waterbury, according to Kellert's Amusement Co., distributors of the Spotlight, a five-cent machine. The machine carries 20 shorts, running three minutes each, three of which are changed weekly by the company.

British Committee Meets Tomorrow On Film Manpower

(Continued from page 1)

of making the industry a reserve occupation to maintain a supply of technical employes.

The British Board of Trade and the Ministry of Labor are jointly responsible for the investigation, which is likely to determine the extent of activity of the British production industry for the duration of the war.

Fayette Allport, representative here of the Motion Picture Producers and Distributors of America, will represent the American interests. Maurice Ostrer, R. P. Baker and Harold Boxall will speak for British producers and studios; George H. Elvin and Thomas O'Brien, for employes; Simon Rowson, for the Board of Trade, and Colonel Bromhead, for the Ministry of Information, as well as other officials.

Production executives expect that some form of pooling of technicians may result from the inquiry but the Government will have the last word, in any case.

The Government's virtual intervention in industry affairs will figure largely in the discussions of the general council of the Cinematograph Exhibitors Association at Nottingham tomorrow. The council is expected to authorize an organization reply to the recent Government suggestion for a revision of trading practices on the part of the industry. The organization is expected to deplore the exploitation by the Ministry of Information of the propaganda film agreement, and the reported plan of the Ministry to produce feature propaganda films.

'Ziegfeld Girl' Tour Planned by Metro

M-G-M on Saturday will start a nationwide tour to exploit "The Ziegfeld Girl." The touring party will include two of the girls from the film, with original costumes from the picture, and a group of oil paintings picturing 1941 show girls.

Howard Dietz, M-G-M director of advertising and publicity, planned the tour, which will be under the supervision of William R. Ferguson, exploitation manager. The tour will start in Chicago, stopping in 75 cities. In each city a contest will be staged to find a girl whose measurements most closely fit one of the gowns.

Kansas City Union Elects '41 Officers

KANSAS CITY, April 8.—New officers for 1941 of the Film Exchange Employes Union, Local B23, here are: C. C. Kinpe, president; Brettice Mueller, vice-president; Mary Heuisen, secretary; Webster Knight, financial secretary; Irene Sharp, business agent; Clyde Cox, sergeant-at-arms; Charles L. Lewis, treasurer; and George Regan, reading clerk. Walter Abranz and Ruth Snowden, together with the president and vice-president, make up the board of directors.

K.C. Club Party Friday

KANSAS CITY, April 8.—The local Variety Club will hold its annual Spring Carnival on Friday and Saturday.

Boston Clearance Hearing Halted on Demand for Run

(Continued from page 1)

and prohibits him from disturbing existing contracts.

Attorneys for both sides will prepare briefs, which are due next Monday.

Loew's Settles N. O. Run Case

NEW ORLEANS, April 8.—The "some run" arbitration complaint of Modern Theatres, Inc., against Loew's, which was scheduled for hearing today, was withdrawn on the conclusion of an agreement under which Loew's will offer the Drive-In Theatre here "some run."

The case is the second brought to hearing by Charles Wollner, operator of the Drive-In, who has a third pending, against Warners. The first complaint, which was against Paramount, was heard by Philip E. James, arbitrator, last week. Reporters were barred from the hearing by James and, so far as could be learned, his decision has not been handed down.

The cases are the first involving drive-ins to go to hearing.

Delegations Leaving For Mexico Festival

HOLLYWOOD, April 8.—Studio representatives, players and newspapermen start leaving tomorrow for the motion picture festival to be held in Mexico City over the weekend under auspices of the Mexican Government. Among those attending will be David O. Selznick, John Hay Whitney, Frank Capra and Kenneth Thomson.

Among the players set to attend are Wallace Beery, Mickey Rooney, Johnny Weissmuller, Patricia Morison, Joe E. Brown, Stan Laurel and Oliver Hardy.

Permit Philadelphia Cooking School Use

PHILADELPHIA, April 8.—Police permitted the cooking schools conducted at the Warner houses by the Philadelphia *Record* to continue this week. Instead of selecting winners for merchandise prizes on the basis of door-stub numbers, the newspaper agreed to adopt a quiz contest as a basis for prize distributions. Police halted the cooking sessions last week on the charge that the prize awards made it an illegal lottery.

To Reelect K-A-O Officials Today

Reelection of all directors of Keith-Albee-Orpheum Corp. is scheduled to take place at the company's annual meeting to be held at the RKO home office today. Reelection of officers is scheduled at the board meeting slated to follow.

Certificate Holders To Vote on 'U' Pacts

Universal voting trust certificate holders will meet in Wilmington April 22 to vote on the seven-year contracts awarded to the seven ranking Universal officers, which were approved at the annual stockholders' meeting last month.

Moskowitz Testifies On Items of Expense

Joseph H. Moskowitz was cross-examined yesterday by U. S. Attorney Matthias F. Correa in the Government trial of himself and Joseph M. Schenck regarding items of expense claimed by Schenck for 1935, 1936 and 1937.

At the close of the day the witness, on re-direct examination, refuted a Government claim that he was a debtor to Schenck in the sum of $71,457 as reflected in the latter's books. Moskowitz produced an agreement showing that this sum represented an obligation of William Klein, Shubert attorney, to Schenck for the transfer of 3,000 shares of 20th Century-Fox Film Corp. stock.

Schenck had transferred the stock to Klein and met losses on the value of the shares because he wished to indemnify Klein for a loss he suffered as a stockholder in Art Cinema Corp., which had been controlled by Schenck, Moskowitz testified.

'Chump' and Show $15,100, 'Girl' Gets $5,400, Milwaukee

MILWAUKEE, April 8. — Biggest money went to the Riverside with Patsy Kelly and Zasu Pitts in person and the film, "Meet the Chump," grossing $15,100. "A Girl, a Guy and a Gob" and "Cheers for Miss Bishop" took $5,400 at the Warner.

Estimated receipts for the week ending April 1-3:

"Gone With the Wind" (M-G-M)
PALACE—(2,400) (40c-55c) 7 days, 4th week. Gross: $5,000. (Average, $4,000)

"A Girl, a Guy and a Gob" (RKO)
"Cheers for Miss Bishop" (U. A.)
WARNER—(2,400) (30c-40c-55c) 6 days. Gross: $5,400. (Average, $4,500)

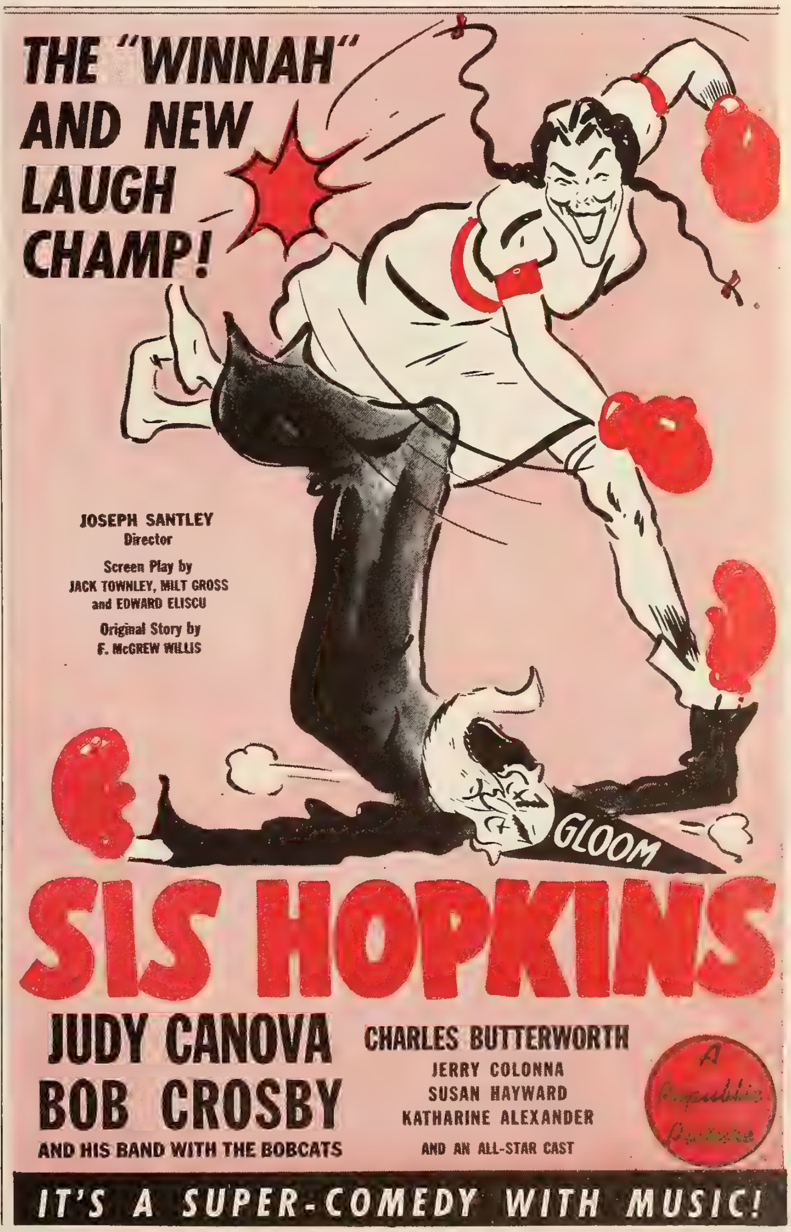
"Meet the Chump" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Patsy Kelly, Zasu Pitts. Gross: $15,100. (Average, $6,500)

"Tobacco Road" (20th-Fox)
"Vivacious Lady" (RKO)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $2,300. (Average, $1,500)

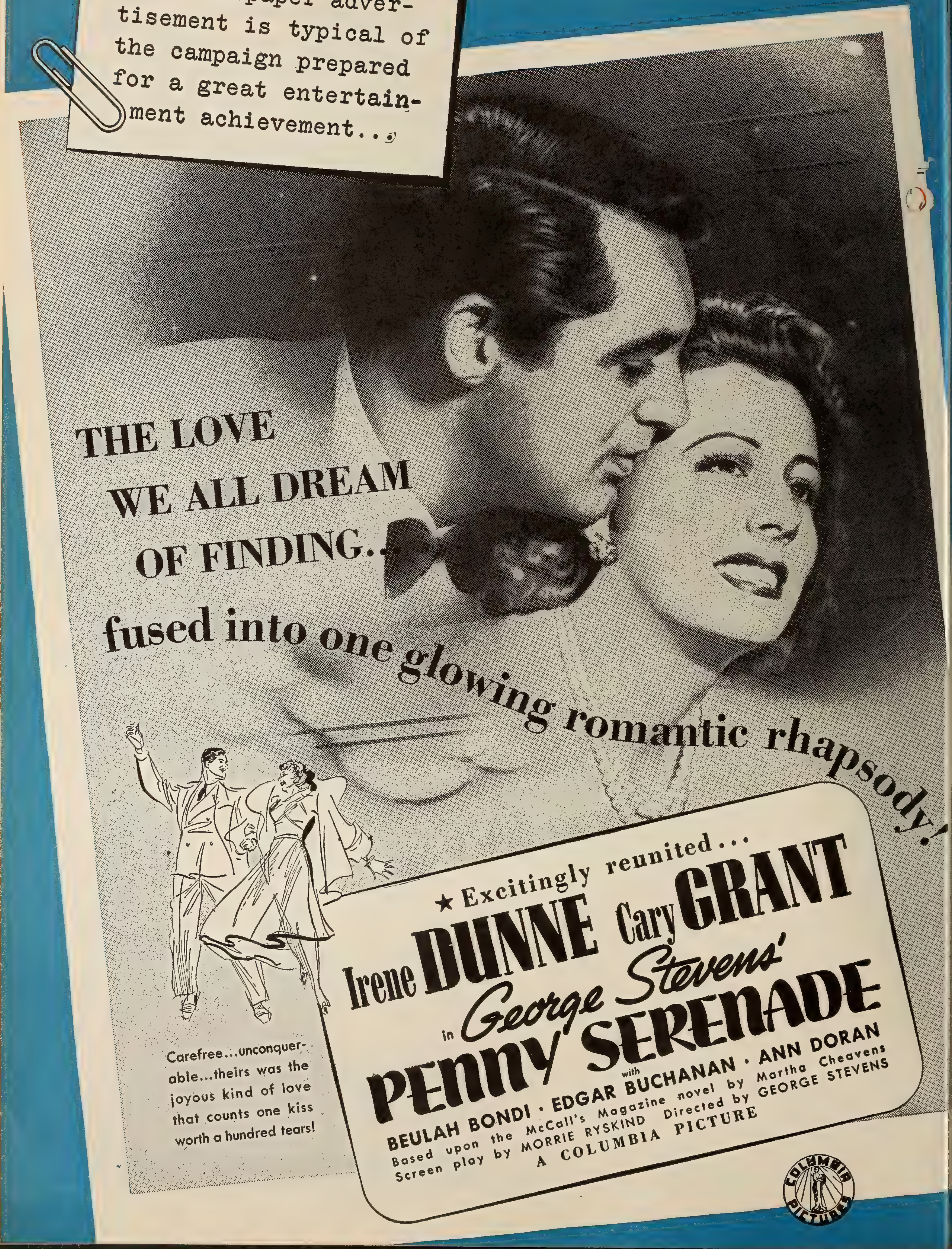
"The Bad Man" (M-G-M)
"Rage in Heaven" (M-G-M)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $5,500. (Average, $5,500)

Grant in 'Bedtime Story'

HOLLYWOOD, April 8.—Cary Grant's next film for Columbia will be "Bedtime Story," which Alexander Hall will direct.



This newspaper advertisement is typical of the campaign prepared for a great entertainment achievement...



THE LOVE
WE ALL DREAM
OF FINDING...

fused into one glowing romantic rhapsody!

Carefree...unconquerable...theirs was the joyous kind of love that counts one kiss worth a hundred tears!

★ Excitingly reunited...

Irene DUNNE Cary GRANT

in George Stevens'

PENNY SERENADE

with
BEULAH BONDI · EDGAR BUCHANAN · ANN DORAN

Based upon the McCall's Magazine novel by Martha Cheavens
Screen play by MORRIE RYSKIND Directed by GEORGE STEVENS
A COLUMBIA PICTURE

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

49. NO. 70 NEW YORK, U. S. A., THURSDAY, APRIL 10, 1941 TEN CENTS

Television's Future Seen In Theatres

Madison Square Garden Head Makes Prediction

By EDWARD GREIF

When television goes commercial, it is the intention of Madison Square Garden to discontinue its telecasting to the home and limit the use of its shows for television in theatres. John Reed Kilpatrick, president of the Garden, yesterday expressed the view that television's future is on the theatre screen, not in home reception.

Kilpatrick cautioned theatre men against opposing the medium, saying: "Theatre men shouldn't fight television. They

(*Continued on page* 8)

Smith Reorganizes Para. Western Staff

George A. Smith, Western division sales manager for Paramount, has reorganized his sales staff, with several promotions and transfers.

C. H. Weaver, Dallas sales manager, has been named Oklahoma branch manager, succeeding Charles L. Dees, who has gone to Dallas as branch manager. L. W. McClintock, now Dallas branch manager, will go to Memphis as branch manager, effective Monday, succeeding W. F. Bugie, who will join the Dallas sales staff. Succeeding Weaver as sales manager at Dallas is A. F. Larned, salesman in Memphis.

Harris Will Leave Monday for Coast

John Harris, head of the Harris Amusement Co. of Pittsburgh, will leave here Monday for California to prepare for the opening of "Icecapades" at the Pan-Pacific Auditorium in Los Angeles, and to confer on the picture, "Icecapades," which Republic will make and which is scheduled to get under way in June.

Deanna Durbin will be among those who will attend the Los Angeles premier of "Icecapades," it is reported. The show opens April 18. After a brief stay on the Coast Harris will come East and go to Atlantic City to prepare for the national Variety Club Convention there May 15-17.

MPTOA Convention In L.A. June 8-12

Los Angeles, April 9.—The Pacific Coast Conference of Independent Theatre Owners today received formal acceptance from Ed Kuykendall, president of the M.P.T.O.A., of the PCCITO's invitation to hold its annual convention here June 8 to 12. The M.P.T.O.A. convention will be in conjunction with the Pacific Coast group's second annual meeting.

These plans were disclosed in MOTION PICTURE DAILY on April 1.

First Hearing on Arbitration Here

The first New York arbitration complaint to go to hearing was postponed yesterday to April 15 by Arbitrator George A. Spiegelberg after a four-hour session devoted largely to opening statements by attorneys for both sides.

The complaint is a clearance grievance of Herbert Scheftel's Squire Theatre, Great Neck, L. I., against the five consenting companies. The Little Neck Playhouse, owned by Solomon Strausberg, and the Great Neck Playhouse, operated by Skouras Theatres, intervened as interested parties. The complaint asks that the 30-day clearance held over the Squire by the other houses be reduced.

The case opened with about 60 principals, attorneys and spectators in the motion picture hearing room adjoining American Arbitration Association

(*Continued on page* 7)

Cohn Names Briskin Production Chief At Columbia Studio

HOLLYWOOD, April 9.—Samuel Briskin, general manager of the Columbia studio, has been appointed production chief by Harry Cohn, president. Briskin will handle all production matters, with Cohn working in cooperation.

Briskin has been with the Columbia studio since 1938, but previously had been with the company eight years during another period, making a total of 11 years he has been affiliated with Columbia Pictures.

Following his first period with Columbia, in 1936 he became vice-president of RKO in charge of production. He resigned from that position in November, 1937, and rejoined Columbia the following year.

His earliest associations in the industry also were with Harry and Jack Cohn, and Joe Brandt, in C. B. C. Film Sales Corp., formed about 20 years ago. Columbia Pictures Corp. is an outgrowth of C. B. C.

A native of Russia, Briskin was educated in New York schools and the College of the City of New York.

K-A-O Stockholders Reelect Directors

All directors of Keith-Albee-Orpheum Corp. were reelected yesterday at the annual meeting of company stockholders. The board is scheduled to meet today to reelect all officers.

Directors are: George J. Schaefer, Malcolm Kingsberg, Monroe Goldwater, N. Peter Rathvon, L. P. Yandell, Donald K. David and John J. McCaffrey. Officers are: Schaefer,

(*Continued on page* 7)

"Citizen Kane"

[Welles-RKO]

"CITIZEN KANE," the initial venture into the motion picture field of Orson Welles, over which considerable controversy has arisen since its completion, and concerning which there has been considerable public and industry speculation, emerges as an intensely interesting, technically unique and novel production. Its box-office potentialities, however, must be reckoned to a large extent problematical. It is a picture perhaps most acceptable, as screen fare, to the mentally mature audience.

With the controversy—legal and political—concerning the picture, this review has no concern whatever. However, with respect to the extent to which that controversy impinges upon the mind of the public as a whole—as it unquestionably must—it will arouse a wide curiosity which should have a specifically beneficial effect on the box-office.

It is entirely the work of Welles, both in production supervision and direction, and in collaboration on the original screenplay. It employs in technique what might best be described as an elaborately-scaled adap-

(*Continued on page* 7)

Can't Protect Chance Games, U.S. Court Says

Rules Lotteries Have No Copyright Standing

Ruling that "Banko" or bank night is a lottery, Federal Judge Edward A. Conger yesterday dismissed an infringement suit brought by Louis Kessler, trading as Novelty Games Co., owner of "Banko," against Abraham Schreiber, trading as Premium Products Co., manufacturer of a competing game, "Bango."

The court stated that the plaintiff could not sue in court because of the fact that his game was a lottery and that its copyright could not be protected in the court.

The opinion described the plaintiff's game as a card distributed in theatres and used in giving away cash prizes to patrons. The defendant's device was a closely similar card, the opinion said.

"The mere selling them to a theatre may not be a crime," Judge Conger stated, "but there is no question of what purpose they are to be used. The fact that others than those who are in the theatre by paid admission may play the game, but by being in the lobby of the theatre and registering, does not change the situation."

The court also held that the card could not be protected by copyright, since it was not a patentable device.

Omaha Exhibitors Fined for Games

OMAHA, April 9. — The Nebraska Supreme Court today declared "Prosperity Club," operated by 23 Omaha theatres, a lottery and illegal. The court held the game violated its 1937 injunction against Bank Night and fined six defendants $200 each.

The defendants were Omaha Motion Picture Exhibitors Association, Tri-States Theatres, R. D. Goldberg Circuit, Sam Epstein Circuit, Mort H. Singer Circuit and William Miskell, president of the OMPEA and manager of the Orpheum here.

In a unanimous decision the court said the "Prosperity Club" plan "includes every evil of an ordinary lottery, camouflaged as it is in an appearance of innocence and respecta-

(*Continued on page* 7)

Mexican Film Union Runs Cooperative

Mexico City, April 9.—So that its members may obtain groceries and other provisions at reduced prices, the National Cinematographic Workers Union has opened a cooperative store here. This union also has its own headquarters building here, a sports and recreation center, and a school for its adult members and their children.

Columbia Managers To See 'Penny' Here

Columbia's Eastern division managers and branch managers will attend the trade showing of "Penny Serenade" at the Astor Theatre on Tuesday.

Division managers who will attend are Sam Galanty, Washington; Phil Dunas, Chicago, and Carl Shalit, Detroit. Branch managers coming here for the showing include Joe Miller, Albany; I. H. Rogovin, Boston; Phil Fox, Buffalo; Tim O'Toole, New Haven, and H. E. Weiner, Philadelphia. Field exploitation staff members, including Mark Freeland, Boston; Jack Thoma, Chicago, and Ed Rosenbaum, Philadelphia, also will attend.

Meetings to determine the selling policy for the picture will follow.

Douglas Arrives Here

Gordon Douglas, director of Hal Roach's "Broadway Limited," United Artists release, is in town with his wife for a brief vacation.

Thru Mainliner Sleepers To LOS ANGELES

Make your Spring trip to Los Angeles over the scenic Main Line Airway by daylight; or in luxurious Mainliner sleepers overnight, without change of planes. Ask about the Air Travel Credit Plan. Reservations: travel agents, hotels, or

UNITED AIR LINES

Phone MU-2-7300
Airlines Terminal: 80 East 42nd St.
649 Fifth Ave. 67 Wall St.
Pennsylvania Hotel

Personal Mention

EDWARD M. SAUNDERS, Western sales manager for M-G-M, is recuperating from a recent illness at his Bronxville home.

•

Arthur Loew, George Skouras, George Jessel, Virginia Field, Rita Johnson, Frank Phelps, Ilka Chase and Otto Preminger at Sardi's yesterday for lunch.

•

Marvin Schenck, Eugene Picker, William Moses and Max Weisfeldt having lunch at Lindy's (next to the Rivoli) yesterday.

•

Harry Cohn, Jack Cohn, Nate Spingold, Harry Brandt, J. J. Milstein and Sam Levene lunching at Lindy's (51st St.) yesterday.

•

William F. Rodgers, Charles E. McCarthy, Tom Connors, Ted O'Shea, Lowell Calvert, Fred Meyers, Max Fellerman, Louis Phillips, Toby Gruen, A. P. Waxman, Morris Kinzler, Max Dreyfus, Maurice Bergman, Max A. Cohen, Sidney Phillips, A-Mike Vogel, Dave Lipton, John W. Hicks and George Weltner lunching yesterday at Nick's Hunting Room in the Astor.

MORRIS A. MILLIGAN, who resigned as Paramount Canadian sales manager because of ill health, has returned to Toronto from South America.

•

D. C. Kennedy, M-G-M branch manager in Des Moines, and Mrs. Kennedy have returned from Los Angeles.

•

Laddo J. Piwetz, San Antonio exhibitor, has been honored by the Junior Chamber of Commerce there for community service.

•

Carl Pfeil, manager of the Family Theatre, Hazleton, Pa., is the father of a son, born a few days ago.

•

Thomas Brinzo, assistant manager of the Shawnee, Plymouth, Pa., has entered military service. John Hanusovsky has replaced him.

•

Herbert Drake has left for the Coast.

•

Helen Elliot of the M-G-M Des Moines exchange is recovering from an appendicitis operation.

Urge Cohan Picture Open in Providence

Providence, April 9. — Letters inviting Warners to hold the world premiere of "Yankee Doodle Dandy" film on the life of George M. Cohan, in Providence, his native city, have been sent to Jack L. Warner, vice-president in charge of production in Hollywood.

The letters are from Gov. J. Howard McGrath of Rhode Island, Mayor Dennis J. Roberts of Providence, George H. Hines, president of the local Chamber of Commerce, and Lawrence Lanpher, chief of the Town Criers, organization of business men.

'Time' to Show Reel At Advertising Club

"Men of the FBI—1941," newest March of Time release, will be shown at a luncheon meeting of the Advertising Club of New York today. At the same time, Col. James A. Moss of the United States Flag Association will present the patriotic service cross to Louis de Rochemont, March of Time producer. Louis B. Nichols, administrative assistant to J. Edgar Hoover, chief of the FBI, will be guest speaker.

Ford to Direct 'Valley'

Hollywood, April 9.—John Ford will direct "How Green Was My Valley" for 20th Century-Fox. William Wyler, originally scheduled to direct the film, is now preparing "The Little Foxes," which he will direct for Samuel Goldwyn.

CHANGE TO ALTEC SERVICE
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N. J. Allied Invites Sales Heads to Meet

Sales managers and executives of the major companies will be invited to define their sales policies at New Jersey Allied's annual convention, scheduled for June 11 to 13 at the Ritz-Carlton Hotel in Atlantic City. It will be labeled "The Good Will Convention of the Motion Picture Industry."

The sessions will include a regional conference of state units of Allied in the East. Louis Gold of Newark is in charge of arrangements. Lee Newbury will preside.

Isidore Witmark, 71, Dies of Pneumonia

Isidore Witmark, a founder and former president of M. Witmark & Sons, music publishers, died yesterday of pneumonia in Polyclinic Hospital after a short illness. His age was 71. He was in the music publishing business almost 50 years. Funeral services will be at 1 P. M. tomorrow at Riverside Chapel.

2 Theatres Open in Mexico City; Total 65

Mexico City, April 9. — Two of Mexico City's oldest theatres, the Olimpia and Bucareli, have been reopened after extensive remodeling. These bring the total of film houses in the city to 65. Edmund B. Noonan manages the Olimpia, which seats 2,800. The Bucareli is operated by Emilio Azcarrage Co., which owns the Cine Alameda, leading local first run.

Fire in Asbury House

Asbury Park, N. J., April 9.—Fire in the backstage section of the Mayfair Theatre here yesterday did damage estimated at $40,000. The house is operated by the Riverside Operating Co., Inc.

Coast Flashes

Hollywood, April 9

GLORIA SWANSON will return to pictures soon, having been employed by RKO to play the lead opposite Adolph Menjou in "Father Takes a Wife." This will be her first role since 1934. Jack Hively will direct. Florence Rice and Helen Broderick will be among the cast.

•

Madeleine Carroll will have the lead in "Dildo Clay," rather than Dorothy Lamour, it is reported at the Paramount studios. Miss Lamour will instead be assigned to "Aloma," the report states.

•

"Hellzapoppin," with Ole Olsen and Chic Johnson, is scheduled to go in production in about eight weeks, according to word from Universal studios. Frank Potter has been named by Jules Levey, producer, to direct the picture.

Atlanta Variety Club Charity Fund $6,500

Atlanta, April 9.—Harry Ballance, chairman of the charity committee of the local Variety Club, turned over $6,500 to Chief Barker William K. Jenkins as payment in full for the charity pledge the Atlanta tent made at the last year's convention in Dallas.

Ballance also announced he had raised sufficient funds to pay the transportation, hotel rooms and registration of all the local club's members to the national convention May 15 in Atlantic City. Special cars have been chartered to take the Atlanta delegation.

Casanave Motion Denied

Motion for an extension of time to answer the complaint of Herman Robbins yesterday was denied Charles Casanave by Justice Peter Schmuck in New York Supreme Court. Louis Nizer argued the case for Robbins.

Irene Francis to Republic

Hollywood, April 9.—Irene Francis, former head of Paramount's reading department, today was appointed assistant to Maurice Hanline, Republic story and scenario head.

MOTION PICTURE DAILY
(Registered U. S. Patent Office)

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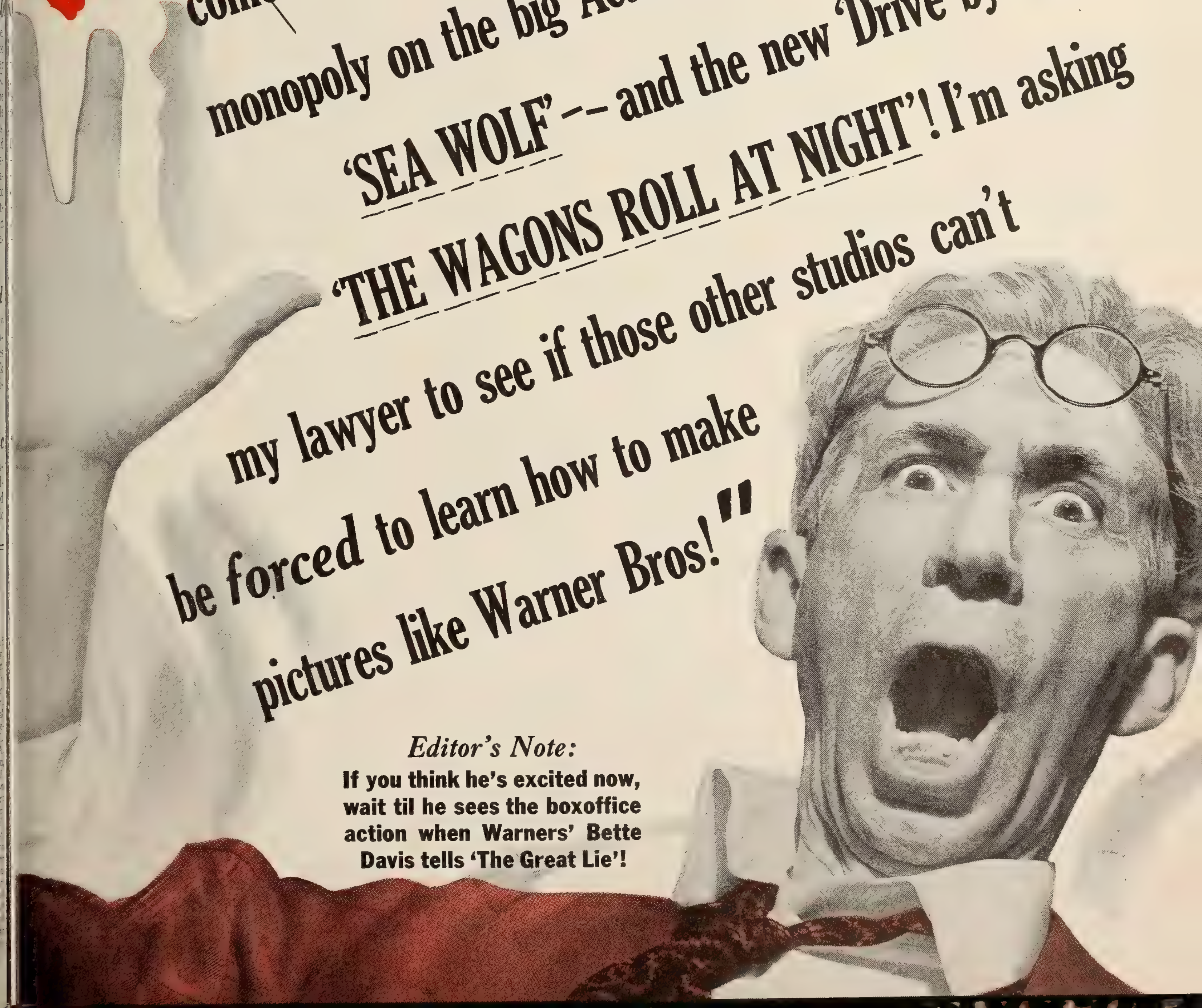
HERE OUGHTA BE A LAW!

Why do the top shows with Action always come from Warners? Why should they have a monopoly on the big Action properties? Now it's 'SEA WOLF'–– and the new 'Drive by Night' 'THE WAGONS ROLL AT NIGHT'! I'm asking my lawyer to see if those other studios can't be forced to learn how to make pictures like Warner Bros!"



Editor's Note:

If you think he's excited now, wait til he sees the boxoffice action when Warners' Bette Davis tells 'The Great Lie'!

RELEASE
DATE
APRIL
12th

A
Republic
PICTURE

SIS HOPKINS – THE GAL FOR FUN IN '41

JUDY CANOVA

BOB CROSBY

ND HIS BAND OF BOBCATS

Charles Butterworth

Jerry Colonna

Susan Hayward

Katharine Alexander

via Allman **Carol Adams**

nn Merrick **Mary Ainslee**

rected by JOSEPH SANTLEY

Original story by F. McGREW WILLIS
Screen play by JACK TOWNLEY, MILT GROSS, EDWARD ELISCU

SIS HOPKINS IS DESIGNED FOR YOUR FUNNYSIDE!

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Mar. 14		The Penalty (D) 129 *L. Barrymore* *Edward Arnold*	Flying Wild (D) *Leo Gorcey* *Bobby Jordan*	In Old Colorado (O) 4052 *Boyd-Hayden*	Back in the Saddle (O) *Gene Autry* *Smiley Burnette*	A Girl, A Gob and A Guy (C) *George Murphy* *Lucille Ball*	Murder Among Friends (D) *John Hubbard* 132		Double Date (D) *Peggy Moran* *Rand Brooks*	Here Comes Happiness (D) *Mildred Coles* *Edward Norris*
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*			The Lady Eve (C) *B. Stanwyck* *Henry Fonda*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*		Topper Returns (C) *Joan Blondell* *Roland Young*	Man Who Lost Himself (D) Bury Me Not On the Lone Prairie (D)	The Sea Wolf (D) *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28		The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	Sign of the Wolf (D) *Grace Bradley* *Michael Whalen*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Vivacious Lady (C) 162 *Rogers-Stewart* (Re-issue)	Dead Men Tell (D) 136 *Sidney Toler* *K. Aldridge*		Horror Island (D) Man-Made Monster (D)	Knockout (D) *Art Kennedy* *Olympe Bradna*
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*			Roundup (O) *Richard Dix* *Pat. Morison*	Pals of the Pecos (O) 2-Gun Sheriff (O)	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*			A Shot in the Dark (D) *Wm. Lundigan* *Nan Wynn*
Apr. 11		Men of Boys Town (D) 132 *Rooney-Tracy*	Break the News (D) *M. Chevalier* *J. Buchanan*	Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) *Judy Canova* *Bob Crosby*	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) 137 *Alice Faye* *Don Ameche*	Pot o' Gold (C) *James Stewart* *P. Goddard*	Lady from Cheyenne (O) *Loretta Young* *Robert Preston*	The Great Lie (D) *Bette Davis* *George Brent*
Apr. 18	Under Age (D) *Nan Grey* *Alan Baxter*	Washington Melodrama (D) 131 *Frank Morgan*	Hoosier Schoolboy (D) *Mickey Rooney* (Re-issue)	Border Vigilantes (O) *William Boyd* *Russell Hayden*	Rookies On Parade (C) *Bob Crosby* *Ruth Terry*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*	That Hamilton Woman! (D) *Vivien Leigh* *L. Olivier*	Model Wife (D) Mutiny in the Arctic (D)	Strange Alibi (D) *Art. Kennedy* *Joan Perry*
Apr. 25	Penny Serenade (C) *Cary Grant* *Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr* *Turner-Garland*	Tumbledown Ranch in Arizona (O) Invisible Ghost (D)	Power Dive (D) *Richard Arlen* *Jean Parker*	Lady From Louisiana (D) *John Wayne* *Ona Munson*	They Met in Argentina (M) *Maureen O'Hara* *James Ellison*	Inspector Hornleigh Goes To It (D) *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon* *Melvyn Douglas*	Flame of New Orleans (D) *Marlene Dietrich* *Robert Young*	The Wagons Roll at Night (D) *H. Bogart* *Sylvia Sidney*
May 2	The Big Boss (D) They Dare Not Love (D)	People vs. Dr. Kildare (D) *Ayres-Day* *L. Barrymore*	Widows of the Press (D) *Jean Parker* *Wallace Ford*	Reaching for the Sun (D) *Joel McCrea* *Ellen Drew*	The Singing Hill (O) *Gene Autry* *Smiley Burnette*	Bringing Up Baby (C) 163 *Hepburn-Grant* (Re-issue)	Great American Broadcast (M) *Alice Faye* *Oakie-Payne*		Black Cat (D) *Basil Rathbone* *Hugh Herbert*	
May 9	Her First Beau (C) *Jane Withers* *Jackie Cooper*	Love Crazy (C) *Myrna Loy* *Wm. Powell*	Human Ghost (D) The Pioneers (O)	There's Magic in Music (M) 4021 *Alan Jones* *Susan Foster*	Country Fair (C) *Lulu Bell & Scottie*	The Saint's Vacation (D) *Hugh Sinclair* *Sally Gray*				
May 16	She Knew All the Answers (C) *Joan Bennett* *Franchot Tone*	Law and Lucky Wilson (D) *Marsha Hunt* *Robt. Sterling*	Redhead (D) *June Lang* *Johnny Downs*	One Night in Lisbon (D) *F. MacMurray* *M. Carroll*	Sheriff of Tombstone (O) Desert Bandit (O)	Bring 'Em Back Alive 131 *Frank Buck* (Re-issue)	Man Hunt (D) *Walter Pidgeon* *George Sanders*			
May 23	Naval Academy (D) *F. Bartholomew*	A Woman's Face (D) *Joan Crawford* *Melvyn Douglas*	King of the Zombies (D) *Dick Purcell* *J. Woodbury*		A Gay Vagabond (C) Angels With Broken Wings (D)	Scattergood Pulls the String (D) 132 *Guy Kibbee*	Cowboy and the Blonde (O) *Mary B. Hughes* *G. Montgomery*		Too Many Blondes (M) *Rudy Vallee* *Helen Parrish*	
May 30	Adventure in Washington (D) *Herbert Marshall* *Virginia Bruce*	The Enemy Within (D) *Robt. Sterling* *C. Winninger*	Army Hostess (D) Wranglers' Roost (O)	Caught in the Draft (C) *Bob Hope* *Dorothy Lamour*		Sunny (M) 133 *Anna Neagle* *John Carroll*	Blood and Sand (D) *Tyrone Power* *Linda Darnell*		In the N[illegible]vy (C) *Bud Abbott*	

THERE IS SOMETHING NEW UNDER THE SUN!

April 4
Madcap Models
'DIPSY GYPSY'
(Technicolor)

NO LAUGH CONTROL!

April 11
Benchley Comedy
'CRIME CONTROL'

TIMELY... PACKED WITH NEW GAGS!

April 11
Gabby Color Cartoon
'SWING CLEANING'
(Technicolor)

A SUPER-SPECIAL FOR EASTER!

April 11
Fleischer Cartoon
'RAGGEDY ANN and Raggedy Andy'
2-reel Technicolor

PARAMOUNT SHORTS!
100%
BOX OFFICE TESTED!

Perelman Comedy Will Open Tonight

"The Night Before Christmas," a new comedy by Laura and S. J. Perelman, opens tonight at the Morosco. The cast includes Phyllis Brooks, Forrest Orr, George Mathews and Ruth Weston. The play is a Courtney Burr production.

Decree Complicates Exhibitor Life: Levy

Herman M. Levy, executive secretary of the MPTO of Connecticut, declares the exhibitor's "life is more complicated" as a result of the consent decree, in an article in the current issue of the *National Board of Review Magazine,* titled "More Sinned Against. . . ."

Levy declares that the exhibitor has always been the "butt of the greatest abuse in the industry." He says that the trade showing of pictures as required by the decree will be of little value to the exhibitor, since the product requirement of the average house, with double bills and three changes weekly, gives him little opportunity to refuse product.

K-A-O Stockholders Reelect Directors

(*Continued from page* 1)

chairman of the board and president; Kingsberg, vice-chairman and executive vice-president; Leon Goldberg, treasurer; William F. Whitman, secretary; O. R. McMahon, W. J. Kernan, William Murray and H. E. Newcomb, assistant treasurers, and Louis Joffe and Harry Pimstein, assistant secretaries.

Stockholders yesterday also approved an amendment to the company's by-laws which provides for the indemnification of directors and officers for judgments which may be levied against them as a result of suits involving their official acts, when performed in good faith.

Urges Sales Staff to Aid Civic Programs

Atlanta, Ga., April 9.—Claude Lee of Paramount discussed means of increasing the sphere of motion picture influence with the sales staff of the local branch early this week.

Lee urged that motion picture representatives enter more wholeheartedly into the community enterprises of their cities. He left immediately to conduct a similar meeting in Charlotte.

Open in Baltimore Soon

Baltimore, April 9.—The Hilton Theatre is scheduled to open April 25 and will offer subsequent run films. It was one of the first neighborhood houses in the Walbrook section and has been closed for several years. Complete remodeling has been under way since the first of the year. It is owned by Thomas D. Goldberg, who also operates the Walbrook.

Club Parties Started

Pittsburgh, April 9.—The local Variety Club has started dancing and buffet suppers every Saturday on a program of "Get Acquainted Nights."

"Citizen Kane"

[Welles-RKO]

(*Continued from page* 1)

tation of the impressionistic use of the screen medium pioneered in smaller measure by the French and German schools some years ago.

The performances are of the finest, attuned perfectly to the production technique employed, although, besides Welles, the names are unknown to the average motion picture audience. They include the members of the Mercury Theatre Group with which Welles is associated.

The film opens with impressionistic interpretations of the great castle in Florida of a fabulously wealthy, art-collecting publisher, who has just died after an amazing career which wielded a vast influence on public opinion. A newsreel editor seeks a new "angle" in his film story of Charles Foster Kane and sends a researcher after the source of the one word, "Rosebud," which Kane had uttered just before he died.

As the researcher follows nebulous clues, he talks with the former associates of Kane, and in episodic flashback is told the story of Kane's life. Those people are Joseph Cotten, as his closest associate; Dorothy Comingore, the actress he lives with clandestinely, for whom he built an opera house, and who is found in a night club, gone in drink, to recount her life with Kane; there is Everett Sloane, as Kane's business manager and loyal aide, Mr. Bernstein; Ruth Warrick, as the wife who divorced him when she learned of his affair with the girl; George Coulouris, as the banker and guardian of Kane when a child.

The highlights of the life of Kane, with a skilful characterization by Welles, include the development of the first of a long chain of newspapers; his political aspirations, which included a drive for the presidency, but which were stymied in a campaign for Governor of New York by the revelation of his clandestine affair, and his deliberate instigation of the Spanish-American War.

The "Rosebud" significance is revealed at the very end, as workmen cast quantities of worthless objects onto a great fire in the halls of the castle, and the word is seen as the trademark on the sled which Kane had as a child.

Running time, 120 minutes. "A."* Charles S. Aaronson

---

*"A" *denotes adult classification.*

Omaha Exhibitors Fined for Games

(*Continued from page* 1)

bility. It is carried on in the hope of financial gain as a disguised lottery, pretending that it has all the intent of good advertising."

Since the game was started in May, 1940, local theatres have given away $10,000 under the plan. The weekly giveaway is $500, which is increased the following week to $1,000 if it is not drawn. Recently two $100 awards have been given each week in addition, regardless whether the main prize was drawn or not.

Miskell said the court ruling will affect 200 part-time employes. Under the plan, booths were set up each Wednesday both inside and outside the theatres, and participants had to register each week to be eligible.

AFM Unit Elects Feist

Freeland, Pa., April 9.—Local 557 of the American Federation of Musicians has reelected Allen Feist president. Other officers are: Charles Lentz, vice-president; James Maloney, secretary-treasurer; John Potzner, business agent; Vincent Maloney, James Malloy, Al Kushnerick, John Potzner and John Sloane, executive board.

Wins Ziegfeld Contest

Victor Kalin, artist of Lawrence, Kan., was awarded the $500 first prize in the Ziegfeld Girl contest for artists sponsored by the Art Students League of New York in cooperation with M-G-M, on its film, "The Ziegfeld Girl."

Mistrial Denied in Schenck Tax Trial

A motion for mistrial of the Government's tax case against Joseph M. Schenck and Joseph H. Moskowitz of 20th Century-Fox was denied by Judge Grover M. Moscowitz in U. S. District Court here yesterday.

Harold H. Corbin, defense attorney, made the motion after charging the court with displaying anger toward Robert T. Kane, 20th Century-Fox producer, while admonishing him not to volunteer information as a witness.

In denying the motion, Judge Moscowitz accused the defense attorney of "putting on an act." He ordered Corbin to "stop talking and continue with the trial."

The incident occurred when Kane, formerly in Europe for the company, was testifying about a trip Schenck made to Paris. Kane testified that Schenck spent $3,000 there in 1935 to entertain artists, and had not deducted the amount. As a result of this entertainment, he said, Schenck signed Elizabeth Bergner, Annabella and other stars for the company.

Joseph Moskowitz previously gave testimony on re-direct examination regarding Schenck's accounts.

'Wind' Price 50 Cents

Helena, Mont., April 9.—For the run of "Gone With the Wind" at the Marlow here last month, admission prices were 40 cents including tax for matinees, 25 cents including tax for children at matinees, and 50 cents plus tax from 4:15 P.M. to closing. The 40-cent scale reported by Motion Picture Daily in the issue of March 13 was erroneous.

First Arbitration Hearing Starts in N. Y. on Clearance

(*Continued from page* 1)

headquarters in the U. S. Rubber Building.

Opening statements were made by Harold Berkowitz, Warner attorney, for the five distributing companies, and Abraham Bienstock, attorney for the Squire. The statements presented the history of the industry and a description of the development and need for clearance.

Mrs. Oscar Huston, described as a Great Neck resident for many years, was the only witness.

Her testimony was intended to show that the Great Neck community has developed sufficiently to require a second theatre, such as the Squire, and that its continuation on a profitable basis is of interest to the community.

The adjournment to next Tuesday was due to the inability of the arbitrator to hold further hearings before that time because of prior business engagements.

The case was the second filed with the New York board. It was entered Feb. 21.

Attorneys present in addition to those named were: Theodore Gutman, for the Little Neck Playhouse; Arthur Schwartz, Skouras Theatres; William Zimmerman and Mort Siegal, RKO; Percy Heiliger, 20th Century-Fox; Howard Levinson, Warners; Robert F. Blumofe, Paramount, and Edmund A. Lee II, Loew's.

No Film Measures In Ontario Session

Toronto, April 9.—The session of the Ontario legislature here is approaching its conclusion without the introduction of any measures intended to affect the operation of theatres in the Province or the distribution of films. This is the first time in recent years that no bills have been presented affecting the industry.

At the same time, Premier M. F. Hepburn has turned down a proposal on the floor of the House to reduce the corporation tax from five per cent to its original rate of two per cent, declaring that the Province needs the revenue to keep out of the borrowing market. It was argued that the big surplus for the past fiscal year was largely due to the tax on large corporations. Theatre circuits and film distributors contributed large amounts in this levy and their financial statements have revealed that, in spite of increased revenue, these companies have shown reduced net profits because of the heavy assessment.

Interstate Tourney Held

San Antonio. April 9.—Le Roy Handley, local exhibitor, won first place in the San Antonio-Austin Interstate golf tournament held here. Proceeds of the tourney will provide camp vacations for 35 underprivileged boys from here and Austin.

Bausch & Lomb Busy

Rochester, April 9.—M. Herbert Eisenhart, president of Bausch & Lomb, has announced that employment at the optical company has reached a peacetime high. Employment is 32 per cent above a year ago. he said.

Television's Future Seen In Theatres

(Continued from page 1)

should welcome it as an aid to the box-office. Once it starts, it will spread as fast as sound did."

The Garden and Kilpatrick are pioneers in the telecasting art and have been cooperating for some time with the principal companies engaged in television broadcasting.

It is Kilpatrick's view that television will bring about an increase in general box-office scales, according to the events which will be telecast. He said he is convinced that the public interest will be strong enough to accept such a rise in admission, thus creating sufficient income to care for the new art and to provide sufficient returns to all concerned.

Kilpatrick declined to state on what terms Garden events would be made available to New York City television theatres. In this area, he pointed out, direct competition with the Garden box-office would be heaviest. However, he said, the Garden is interested in promoting the new medium and a deal acceptable to all could be worked out.

The Garden head recalled an exclusive *Motion Picture Daily* interview with him a year ago, and continued: "At that time, I said that theatre television eventually may replace the second feature. Many who read that interview called to say they didn't agree. Well, theatre television is here. I'm a pretty good prophet."

Kilpatrick believed that the boxing bouts at the Garden each Friday night will prove staple attractions. He estimated that the Garden has about 65 other events each year which would be of outstanding nationwide interest, including championship hockey games, track meets, rodeos, basketball games, horse shows and the like. With events outside the Garden, such as World Series baseball, horse racing, football and outdoor boxing, theatres could schedule two outstanding television programs each week without much difficulty, he believed.

The Garden is cooperating with RCA and NBC in presenting a demonstration of theatre screen television for film industry executives on May 9. the date of the Joe Louis-Abe Simon heavyweight championship fight.

Baltimore Station Increases Power

WASHINGTON, April 9.—An increase in power from 500 watts night, 1,000 watts day, to 5,000 watts night and day, has been granted Station WCAO, Baltimore, by the Federal Communications Commission.

The commission announced receipt of an application from WFAM, Inc., Lafayette. Ind., for a construction permit for a new 1,230-kilocycle, 100-watt station, to have the facilities of Station WFAM, and ordered hearings on the applications of the Constitution Broadcasting Co., for a 550-kilocycle station in Atlanta, with 1,000 watts night, 5.000 watts day, and of Station KPAC. Port Arthur, Tex., for increase of night power to 1,000 watts.

Off the Antenna

ERNEST ANDERSON, of the CBS sales promotion department in Detroit, has been placed in charge of promotion for the Latin American long wave network of 64 stations which is scheduled to start operations Sept. 1.

• • •

It was reported in Ottawa, Canada, yesterday that CBS had bought television rights to "A Passage to Geneva," a story by Lloyd O. McGaughey published in Coronet *last year. However, Gilbert Seldes, CBS television director, denied that the network had purchased television rights for any stories.*

• • •

The total of FM stations now on a regular commercial footing, employing commercial call letters and channel assignments, increased to four last Sunday when the Yankee Network's FM transmitter on the summit of Mount Washington, N. H., began operation as W39B, it was disclosed yesterday.

• • •

WNEW yesterday signed with the Associated Press for its special radio news service, the station announced. The new wire will substitute for the AP's Class A wire which was in use at WNEW. The station also announced that it is expanding its news schedule and will have 14 news programs on weekdays and three on Sunday.

• • •

Four New York radio editors are sponsoring a trophy to be awarded to the winning borough in the "Battle of the Boroughs," quiz series which starts Saturday at 9:45 P.M. over WABC. The editors include Mrs. Elizabeth Colclough, Herald Tribune; *Judy Dupuy,* PM; *Alton Cook,* World-Telegram, *and Leonard Carlton,* Post. *They will appear as the Manhattan team on the first night.*

• • •

Mutual yesterday added a Balkan correspondent to its list of newscasters from foreign points. He is Sam Brewer, correspondent in Greece for the *Chicago Tribune*.

• • •

Program News: Franco-American Spaghetti, which sponsors Lanny Ross over 58 CBS stations Monday through Friday 7:15-7:30 P.M., has started a free offer of Sterling silver rings to listeners who write for them. . . . WNEW and General Electric's short wave station next Monday will broadcast Easter greetings to American service units abroad by Bishop John F. O'Hara, chief chaplain of the armed forces.

Theatre Changes

To Handle New Jersey House

PHILADELPHIA, April 9. — Jack Greenberg, who operates New Jersey resort theatres during the Spring and Summer season at Woodbine, Northampton and Stone Harbor, in addition to his operations here, will again operate the Avalon in Avalon, N. J., on a deal with Frank Windell, owner of the house. He handled the house for a few seasons but was not associated with it last season.

Open New Iowa House

OTTUMWA, Ia., April 9.—The Ottumwa Theatre Co., owned by the Tri-States Theatre Corp., and Jacob Cohen, have named their newly opened suburban theatre "The Zephyr."

Named Portsmouth, O., Manager

MANSFIELD, O., April 9.—James Cattell, who managed Warners' LeRoy at Portsmouth, O., has been named manager of the Park, local Interstate unit. He succeeds Ralph Shafer, who has joined the Army.

Helena House Opened

HELENA, Mont., April 9.—The Antlers Theatre, for many years used only on special occasions, has opened under the management of Jack Edwards, Marlow Theatre manager. The house seats 446.

Open Birmingham House

BIRMINGHAM, Ala., April 9.—The Homewood, new suburban house, has been opened here by Waters Theatre Co., operators of a group of neighborhood theatres. It seats 750.

Griffith Moves Managers

KANSAS CITY, April 9.—The H. J. Griffith Theatres, with headquarters here, have given new assignments to three managers. Barnes Perdue becomes manager of the Ritz and Kansas, Parsons, Kan.; David Dallas, manager of the Uptown, Marceline, Mo.; and Louis Higdon, manager of the Ritz and Grand, Chillicothe, Mo.

Drop Lewisburg, Pa., Theatre

PHILADELPHIA, April 9.—The Stiefel Brothers, Mike and Harry, have relinquished the Roxy, Lewisburg, Pa., upon the expiration of the lease. The house has been taken over by N. W. Fredericks, operator of the Garden at Lock Haven, Pa. The Stiefels recently opened the Campus in Lewisburg.

Duffy Leases S. F. Alcazar

SAN FRANCISCO, April 9.—Henry Duffy, veteran showman, has taken a 10-year lease on the Alcazar Theatre here, which will be remodeled and reopened for legitimate productions.

Atlantic City House Reopens

ATLANTIC CITY, April 9. — The Strand Theatre, first run boardwalk house operated by the Weilland-Lewis interests, has reopened for the season. Nate Cohen returns as house manager.

Buys Milford. Ia., Theatre

MILFORD, Ia., April 9.—Bert Kelsey. operator of Bert's Place here, has bought the Avon Theatre at George. Ia., from W. P. Wilsey. He plans to remodel the theatre.

New Short Wave Sponsors on NBC

Three sponsors have been obtained by NBC for a new series to be shortwaved to Latin America, it was reported yesterday. Pending the formal signing of contracts, the names of the sponsors were withheld.

Instead of the nightly "Rhythms and Romance," a recorded musical program now on the short wave, there will be a half-hour pickup direct from leading New York hotels with prominent name bands. Hotels which have agreed to permit pickups are the Pennsylvania, Taft, Essex House, Edison, Plaza, New Yorker, Lincoln and McAlpin. If several more hotels are signed, the program may be increased to a full hour nightly. Announcements will be made in both Spanish and Portuguese.

John F. Royal, NBC vice-president in charge of international short wave, yesterday announced that John Elwood, a former NBC vice-president, is rejoining the network as manager of the international division.

Reduce Authority of Murray, CBC Head

TORONTO, April 9.—The authority of W. Gladstone Murray, general manager of the Canadian Broadcasting Corp., has been curtailed by the action of the Government in organizing an executive committee of four members from the CBC Board of Governors to take over some of Murray's duties and in adding to the jurisdiction of Augustin Frigon, assistant general manager. N. L. Nathanson, president of Famous Players Canadian Corp., Toronto, is a governor but he has not been appointed to the executive committee because of the time required in management details.

According to C. D. Howe, Minister of Transport, the move has been made to obtain improved executive control by the board and to effect economies. The reorganization is the result of complaints regarding CBC operations and the resignation of two members of the board in protest against the management by Murray, who was brought to Canada from London some years ago to direct the official Canadian network.

Ascap Meets Mutual, Montana Negotiators

The Ascap radio committee met yesterday with representatives of Mutual Broadcasting System and, in a second meeting, with representatives of the Montana State Broadcasters. Ascap officials reported that only general phases of the society's new "per program" licensing agreement were discussed.

The Montana broadcasters, according to report, are interested in negotiating their own licensing agreement with Ascap, and the discussions centered on that possibility. The state broadcasters were among the first to sponsor anti-Ascap legislation and a year ago were responsible for the detention of Gene Buck, Ascap president, in Arizona on a warrant for his arrest issued in Montana.

The Ascap radio committee will meet again today or tomorrow with Mutual representatives. Further meetings with the Montana group are also expected.

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Casey Coming East on New Studio Pacts

Company, Union Heads To Negotiate Contract

Hollywood, April 10. — Pat Casey, producers' labor contact, left for New York last night to make arrangements for a meeting between major company presidents and the heads of international unions which are parties to the studio basic labor agreement to negotiate a new long term pact. The meeting will be in New York.

The old five-year basic agreement expired last month and its provisions are being continued by mutual agreement pending negotiation of a new

(*Continued on page* 5)

Seven Complaints Settled by Loew's

Loew's has settled seven of the 23 arbitration complaints in which it has been named to date, it was revealed yesterday.

The cases settled, all prior to hearings, were those of Paulston, Inc., Boston; Hilary and Mayville, New York; Modern Theatres, Inc., New Orleans; White Bear Theatre, Minneapolis; Joseph's Drive-In, Dallas, and Charles Woolner's Drive-In, New Orleans.

Tyree Dillard, Jr., Loew's attorney, reported yesterday that a study of the complaints and settlements revealed that there was not a single instance in which the relief granted by settlement of an arbitration com-

(*Continued on page* 4)

FP Canadian 1940 Profit Is $1,012,000

Toronto, April 10.—Famous Players Canadian Corp. today reported net profit for 1940 of $1,012,000, after all charges, equal to $2.35 per common share. This compares with profit of $889,000, equal to $2.09 per share for the previous year.

Operating profit was in excess of $2,600,000, or nearly $500,000 more than 1939, but income and excess profits taxes in 1940, totaling $592,000, were more than double the previous year. The company reports cash on hand of more than $1,000,000, compared with $700,000 at the end of 1939.

Theatre Building Booms On Coast With 30 Units

Los Angeles, April 10.—California is facing one of the largest theatre building booms in years, with approximately 30 independent and circuit houses planned.

Fox West Coast plans 10 of the total, and marks the first large-scale theatre expansion by an affiliated circuit since the consent decree was signed. Twentieth Century-Fox has a 42 per cent interest in National Theatres, which controls Fox West Coast. Under the decree the circuit is required to notify the Government of theatre acquisitions.

Fox West Coast plans a theatre in Glendale, as well as nine others in various parts of California. Among the houses planned or under construction are one here for Jack Berman, the Wyvern and Bundy in West Los Angeles, the Laurel in Hollywood, the New Rose here, one near Bakersfield. William S. Hart will be associated with a new house in Newhall, and

(*Continued on page* 6)

'Zanzibar' Leads Broadway Parade

That Bob Hope-Bing Crosby-Dorothy Lamour picture, "Road to Zanzibar," is making an unusually successful run at the Paramount. This Paramount picture is the highlight film of Broadway for the Easter holiday, and Bob Weitman, managing director of the house, has gold-tipped the presentation by having Benny Goodman and his band on the stage. The show will have grossed an es-

(*Continued on page* 5)

Army Orders 36 Theatres For 29 Camps

Washington, April 10.—Immediate construction of 36 temporary motion picture theatres at 29 posts and camps throughout the country has been ordered by the War Department, it was announced tonight.

The houses, to cost more than $1,500,000, are to be completed in 90 to 100 days and immediately will begin showing the regular features, shorts and newsreels supplied by the Army Motion Picture Service.

The temporary theatres will be of four types. Sixteen will be of wood, each with a capacity of 1,038 men; two of wood, with a capacity of 602; 10 of wood with a capacity of 364, and eight tents with a capacity of 2,075.

Several posts will have two theatres, because of their size. Eventually the temporary houses now to be constructed will be replaced by permanent theatres at camps and posts which will be continued in service after the present emergency.

Eastern Pa. Allied Charges Forcing Of Shorts Violates Spirit of Decree

Philadelphia, April 10.—Allied Independent Theatre Owners of Eastern Pennsylvania has placed itself on record as being "of the definite opinion" that four of the five companies affected by the consent decree are forcing shorts and newsreels for the 1940-'41 season, "contrary to the spirit of the decree," and that exhibitors are being forced by these companies to take shorts and newsreels against their wishes. The charges were made generally, with no companies named specifically.

The organization announced that it plans to take steps to protect the interests of its members in this regard. The group is checking shorts released during the present season to determine whether "more are being delivered than sold," and also whether "any credits are due exhibitors." Use of the weekly payment plan also violates the spirit of the decree, it was stated by organization spokesmen.

The present season selling practices complained of in Philadelphia are not governed by the decree, industry authorities in New York stated last night. The decree goes in effect Sept. 1.

U.A. Producers Accept '41-'42 Selling Setup

Will Sell Each Picture On Own Merit: Kelly

Hollywood, April 10.—United Artists owners and producers have unanimously agreed upon the company's new season's sales policy, Arthur W. Kelly, vice-president in charge of distribution stated today, on the eve of his departure for New York, after a stay of more than a week here. Maurice Silverstone, chief of world-wide operations of the company, who arrived on the Coast early in the week, will remain for a few more days, it is understood by officials.

Each United Artists picture will continue to be sold on its individual merits, Kelly said.

"The selling policy was unanimously agreed upon," he said. "Included within the selling policy in regard to a number of situations, certain formulae for selling individual pictures were discussed. For these situations, there will be a sliding scale percentage going up to 50 per cent of the gross for important pictures, therefore making it possible, based on box-office results, for each producer to obtain maximum returns from his pictures."

Kelly said that the plans for the company's five regional sales meetings, starting April 28 in New York, were completed, and that the U. A. product outlook is "the best in the company's history."

David O. Selznick and Charles Chaplin were to have been excepted from the blanket contract plan which Kelly brought with him from New York and which was discussed here in the conferences with producers.

Kelly made no mention of the blanket contract plan which was based

(*Continued on page* 5)

W. J. Merrill Dies; Was RKO Executive

Wilford J. Merrill, vice-president and treasurer of Radio-Keith-Orpheum Corp., and vice-president of RKO Radio Pictures, Inc., died early yesterday of a heart attack at his home in the Town House, 108 East 38th St. He was 42 years old.

Merrill had been with the RKO organization for the past five years, and was consultant in the company's reorganization. Previously, he held executive posts with various large commercial organizations. He was vice-

(*Continued on page* 5)

Coast Flashes

Hollywood, April 10

COLUMBIA today signed William K. Hopkins, Union Oil Co. executive, as director of personnel and manager of industrial relaitons. He will continue his $1-a-year duties with the Government as district representative of the U. S. Office of Production Management.

•

Melvyn Douglas will star with Rosalind Russell in Columbia's "Our Wife," John M. Stahl production.

•

Lewis Milestone was signed today by RKO to direct "Joan of Paris," second Michele Morgan film.

British Hopeful in Manpower Crisis

London, April 10.—The situation with regard to the industry plea that technicians be exempted from military duty to prevent a threatened shortage of film manpower was regarded more hopefully by exhibitors following the first meeting today of the new joint industry-Government committee set up to study the matter.

The new schedule of industrial reserve occupation listings, just published, will remove virtually all projectionists from the reserve list by Oct. 1 and all studio technicians by July 15. About 3,200 projectionists, essential to theatre operation, are affected.

The Cinematograph Exhibitors Association, replying to the Government proposal for a revision of trade methods, expressed the belief, as already has been indicated, that the only solution is more pictures, which in turn can only come if the Government releases the manpower and materials with which to produce them. The CEA resolved to remain out of the newsreel-Ministry of Information controversy for the time being.

Theatre Pioneer Dies

Racine, Wis., April 10.—William C. Tiede, 84, pioneer exhibitor who brought the first talking pictures to Racine, is dead here. Tiede managed the old Bijou, Racine's first film theatre. He is survived by his wife, a son and a daughter.

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Personal Mention

N. L. NATHANSON, head of Famous Players Canadian, and Mrs. Nathanson, are in New York to spend the Easter holiday.

•

Larry Darmour arrived from the Coast yesterday for conferences with Harry Cohn and other Columbia executives.

•

Sid Grauman is in New York from the Coast.

•

Harry Miller, M-G-M salesman here, is due back from Florida on Monday.

•

Leo Justin is expected Monday from Mexico City.

•

Donald Fraser and J. D. Davidson of the Canadian Government Motion Picture Bureau at Ottawa are touring the Eastern Canadian provinces.

•

Gregory Abbott yesterday observed his tenth anniversary as Paramount News commentator.

•

J. Noble Braden, executive secretary of the American Arbitration Association, returned to New York from Washington by plane last night.

•

James E. Perkins, Far East manager for Paramount, who arrived on the Coast from Yokohama recently, is expected here on Tuesday for his first home office visit in three years.

•

Al Richard, Russell Crouse, Oscar Serlin, Clayton Bond, David Palfreyman, Max Wolf, John D. Hertz, Jr., John Buchanan, Taylor Holmes, Benny Goodman and Jack Kirkland lunching at Sardi's yesterday.

EDWIN L. WEISL and Mrs. Weisl are expected to arrive here this morning after several weeks in California.

•

Joseph Moskowitz, Haskell Masters, Eddie Cantor, Martin Moskowitz, Joseph Pincus, Hal Horne, J. J. Milstein and Hal Horne at Lindy's (51st St.) yesterday for lunch.

•

John Ojerholm, manager of Paramount's Olympic Laboratories, London, will arrive from Lisbon on the *Excambion* Tuesday, for a home office visit.

•

Alvaro Reyes, Paramount manager for Colombia, will arrive in New York by plane today to visit his daughter who is ill in a local hospital.

•

Frances Gashel of Barney Balaban's secretarial staff will leave for the Coast by boat this weekend for a month's vacation.

•

Sam Spring, Maurice Bergman, Ted O'Shea, Russell Holman, William F. Rodgers and Tom Connors having lunch yesterday at Nick's Hunting Room in the Astor.

•

Charles E. Kurtzman, Ray Bell, A-Mike Vogel, C. A. Hill, Charles Paine and Norman Nicholson lunching yesterday at the Tavern.

•

Abe Montague, Emanuel Silverstone, Seymour Poe, Lou Weinberg and Arche Mayer at Lindy's (next to the Rivoli) for lunch yesterday.

•

W. G. Van Schmus, Gradwell L. Sears, Gus Eyssell, Charles R. Jones, Lowell Calvert, Paul Lazarus, Charles Moses and Jack Smith lunching at Toots Shor's yesterday.

Lee Closes Canada Deal on Formby Film

Arthur A. Lee, American representative for British producers, has closed a deal with Esquire Films, Toronto, for the latter to handle Canadian distribution of the George Formby picture, "I See Ice."

Lee, who returned from Toronto yesterday, said that the picture will be the opening attraction at the new Vogue Theatre, Vancouver, when it opens next Tuesday. The Vogue is one of the new houses of the Odeon Circuit, headed by Paul Nathanson.

Esquire Films, the distributor, also is a Nathanson enterprise. It recently acquired Canadian distribution rights to "Quiet Wedding," the Paul Soskin British production, from Paramount. Universal has the distribution rights for the United States.

Worthington Rites Will Be Held Today

Hollywood, April 10.—Funeral services will be held at Beverly Hills tomorrow for William J. Worthington, 69, president of Multicolor Films, who died last night. He sold control in the company to Caddo Co. some time ago, and divided his time between directing and acting. He entered film work in 1913 after years on the stage. He leaves a daughter, Mrs. Rowland V. Lee, and a son, William E. Worthington.

Depinet to Speak At Ampa Thursday

Ned E. Depinet, vice-president in charge of distribution for RKO, will be the guest speaker at the Ampa luncheon next Thursday at the Hotel Edison, the last open meeting of the present Ampa administration. H. M. Richey, in charge of exhibitor relations for M-G-M, will introduce Depinet. A large number of exhibitors have reserved tables already for the luncheon.

Schine Greek Fund Contribution $7,000

Gloversville, N. Y., April 10.—J. Meyer Schine, president of the Schine circuit, has forwarded to the Greek Relief Fund headquarters in New York $7,000, collected in the circuit's 175 theatres. The Schines' home city here raised $200 at the Glove and Hippodrome.

Birdwell on Pascal Film

Gabriel Pascal has retained Russell Birdwell and Associates, it is announced by the Birdwell office, to handle outside exploitation on George Bernard Shaw's "Major Barbara," produced in London. Marion Baldwin, Pascal's personal publicity representative, will serve as Birdwell's assistant on "Major Barbara," according to the announcement.

Newsreel Parade

COMMISSIONING of the new U. S. battleship, North Carolina, *in the New York Navy Yard is given attention by all the reels. Another navy subject is the "good will" visit of U. S. warships to Australia. The new issues include the following:*

MOVIETONE NEWS, No. 62—[illegible] *Carolina* goes into service. U. S. warships visit Australia. England: King George with Canadian troops; R. A. F. gunners in training; air raid hero chats. Biggest diamond prepared for cutting. Drilling at Fort Meade. Maryland Kennel Club trials. Rodeo in Australia.

NEWS OF THE DAY, No. 260—*North Carolina* joins U. S. fleet. U. S. warships in Australia. Navy searches for missing bomber. King and Queen carry on in England. Rio strengthens defenses. Hat fashions. Baseball preview. Rodeo in Australia.

PARAMOUNT NEWS, No. 65—American sailors in Sydney. King George inspects Canadian troops. Mussolini addresses Fascist leaders. Mexico to hold Axis ships. Polish premier visits Roosevelt. Work resumes at Allis-Chalmers plant. Hongkong armed for defense. *North Carolina* commissioned.

RKO PATHE NEWS, No. 65—U. S. Navy squadron in Australia. *North Carolina* launched in Brooklyn. R. A. F. gunners in training. Housing program in California. Maneuvers in Michigan. New York civilians learn home defense. Jersey workers sign no-strike pact. New fire engine in California. Baseball forecasts.

UNIVERSAL NEWSREEL, No. 970—*North Carolina* commissioned. Shell production speeded in Indiana. Fire fighter tested in California. U. S. warships hailed in Australia. Clipper for England in New York. Brazil adds to navy. Biggest diamond to be cut. Shoe fashions. Salmon run in Oregon. Biggest chess game in Havana. Ski championships in Washington.

Fairbanks Leaving On Mission to S. A.

Washington, April 10.— Douglas Fairbanks, Jr., today accepted an invitation by President Roosevelt to tour Latin-American countries to foster better inter-American relations through the motion picture industry. Fairbanks, after conferring with the President on the mission, said he expected to leave for South America at the end of the month and to remain there about two months.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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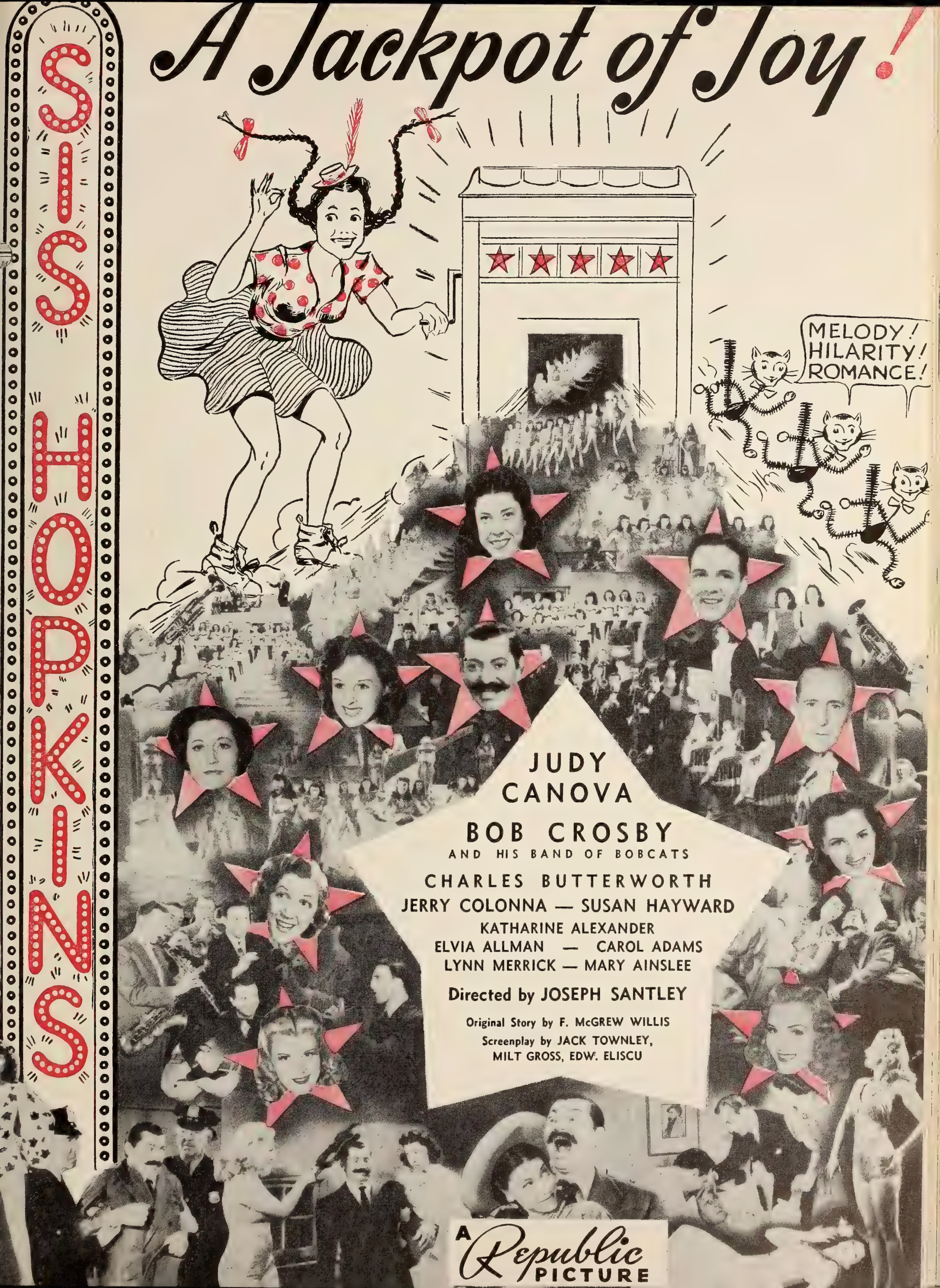
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ELVIA ALLMAN — CAROL ADAMS
LYNN MERRICK — MARY AINSLEE

Directed by JOSEPH SANTLEY

Original Story by F. McGREW WILLIS
Screenplay by JACK TOWNLEY,
MILT GROSS, EDW. ELISCU

A *Republic* PICTURE

'West,' Show Is Boston Hit With $13,000

BOSTON, April 10.—"Sleepers West" with a stage show including Clyde McCoy and his Orchestra gave the Keith Boston $13,000. "Tobacco Road" coupled with "Melody for Three" drew $19,400 at the Keith Memorial.

Estimated takings for the week ending April 3:

"Sleepers West" (20th-Fox)
KEITH BOSTON—(3,200) (28c-33c-44c-55c-65c) 7 days. Vaudeville including Clyde McCoy and his Orchestra, Three Bennett Sisters, Dick Lee, Benny Ross with Maxine Stone, Bob Howard and Ruthie Barnes. Gross: $13,000. (Average, $8,000)
"Tobacco Road" (20th-Fox)
"Melody for Three" (RKO)
KEITH MEMORIAL—(2,907) (28c-39c-44c-55c) 9 days. Gross: $19,400. (Average, $16,000)
"The Sea Wolf" (W.B.)
"Here Comes Happiness" (W. B.)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $9,100. (Average, $7,500)
"The Sea Wolf" (W. B.)
"Here Comes Happiness" (W. B.)
FENWAY—(1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $5,900. (Average, $4,500)
"The Lady Eve" (Para.)
"Tall, Dark and Handsome" (20th-Fox)
SCOLLAY—(2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $4,600. (Average, $4,000)
"The Great Dictator" (U.A.)
"Meet Boston Blackie" (Colo.)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days, 4th week. Gross: $10,100. (Average, $12,000)
"The Great Dictator" (U. A.)
"Meet Boston Blackie" (Colo.)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days, 4th week. Gross: $15,300. (Average, $17,500)

Minneapolis Gives 'Live', Show $13,000

MINNEAPOLIS, April 10. — "Come Live With Me," coupled with a stage show, did a healthy $13,000 at the Orpheum, while "The Lady Eve" picked up $9,000 at the State.

Estimated receipts for the week ending April 4:

"The Lady Eve" (Para.)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $9,000. (Average, $6,000)
"Gone With The Wind" (M-G-M)
CENTURY—(1,600) (28c-44c-55c) 7 days, 3rd week. Gross, $6,000. (Average, $4,000)
"Tobacco Road" (20th-Fox)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross, $2,200. (Average, $1,600)
"Come Live With Me" (M-G-M)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. Ralph Edwards "Truth or Consequences," Ray Herbeck's band on stage. Gross, $13,000. (Average, $5,500)
"Buck Privates" (Univ.)
GOPHER—(998) (28c) 7 days, 3rd week. Gross: $4,200. (Average, $2,500)
"Scattergood Baines" (RKO) 3 days
"Shadows on the Stairs" (W. B.) 3 days
"Girl in the News" (20th-Fox) 4 days
"Dark Streets of Cairo" (Univ.) 4 days.
ASTER—(900) (15c-28c) 7 days. Gross: $2;000. (Average, $1,800)

Nova Scotians May Stiffen Censorship

ST. JOHN, N. B., April 10.—Under consideration by the Nova Scotia Government is a stiffening of motion picture censorship in the provinces. Charges have been made in the provincial Assembly this session that "improper" pictures had been shown in the province and "parents are showing concern over the situation."

It has been contended by legislators that the provincial censorship board has been acting in behalf of the producers and distributors.

Hollywood Review

"Reaching for the Sun"

(*Paramount*)

Hollywood, April 10

THE title of this picture symbolizes the hopes and yearnings of the young man from the North Woods portrayed by Joel McCrea, a young man who comes to Detroit to earn just enough money to buy an outboard motor.

With an outboard, he will be able to live the life of a clam digger with more efficiency of operation, that life being to him the only true existence. But in Detroit, he gets caught up in the industrial pattern of the automobile business, acquires a wife and then a child, finds it ever harder to break away and get back to where growing things are all "reaching for the sun."

The girl he marries, portrayed by Ellen Drew, comes to hate the outboard as an emblem of what she fears most—the uprooting from all she knows and thinks she likes in life. As the boy who befriends them, Eddie Bracken is made to personify city life as against a return to nature.

The story itself, produced and directed by William A. Wellman, is told with more emphasis on personal relationships than on the social significance so evident in the book on which it was based, Wessel Smitter's "F. O. B. Detroit." Such scenes as that of the wedding night, although treated humorously, stamp the film as adult material.

The industrial backgrounds, taken in large part at the Packard plant in Detroit, are unusual and well handled. Albert Dekker, Billy Gilbert and Bodil Ann Rosing supply principal support.

Running time, 89 minutes. "A." W. S.

**"A" denotes adult classification.*

Seven Complaints Settled by Loew's

(*Continued from page* 1)

plaint could not have been obtained by the theatre involved through direct consultation with the company.

Under M-G-M's policy of correcting grievances whenever they merit relief, he said, there was no need for cases of the kind which have been settled to have been brought to the company's attention in the form of an arbitration proceeding.

First St. Louis Hearing April 17

ST. LOUIS, April 10. — The first arbitration hearing at the local tribunal has been set for April 17, with Ethan A. H. Shepley, local attorney, as arbitrator. The case is the clearance complaint of Shirley Theatre Corp., operator of the Rialto, Cape Girardeau, Mo., against all five consenting companies. Fox Midwest's Broadway and Orpheum in Cape Girardeau are named as interested parties.

U. S. Mediation Board To Use Film Offices

Acting in conjunction with the five consenting companies, the American Arbitration Association yesterday placed the 31 motion picture arbitration tribunals at the disposal of the National Defense Mediation Board for the settlement of labor controversies in defense industries.

The move will provide the Federal Mediation Board with already established, fully equipped and staffed hearing rooms where it may conduct its meetings and investigations in connection with strikes in defense industries assigned to it by the Secretary of Labor.

C. V. Whitney, president of the A. A. A., pointed out that the placing of the film tribunals at the disposal of the Board will in no way interfere with the film arbitration activity. In all instances, the film hearings will have priority and, to assure this, all applications for use of the industry tribunals by the Federal board will be cleared through New York A. A. A. headquarters.

Coast Party Off to Mexico City Today

HOLLYWOOD, April 10.—Stopping overnight at Guadalajara, Mexico, three planeloads of Hollywood personalities and newspaper writers leave here tomorrow morning on a goodwill journey to Mexico City for the Pan-American Motion Picture Festival. They will arrive at noon Saturday.

Following a reception at City Hall, Saturday's events will be climaxed by a banquet. Sunday calls for attendance at a special Easter mass at the Shrine of Guadalupe and a reception at night by President Avila Camacho in the Presidential Palace. The guests on Monday will make a round of sightseeing trips with President Camacho speaking on an international radio broadcast. The party will return to Los Angeles Tuesday with the exception of those traveling by train.

The group making the trip by plane includes: John Hay Whitney, Frank Capra, Wallace Beery, Francis L. Alstock, Desi Arnaz, Lucille Ball, Sabu, Brenda Marshall, Kenneth Thomson, Esther Fernandez, Patricia Morrison, Mischa Auer, Susan Hayward, William Holden and Veronica Lake.

Press people include Louella Parsons, Edwin Schallert, Mr. and Mrs. Raymond Clapper, Mr. and Mrs. Drew Pearson, Walter Clausen, Mr. and Mrs. William Wilkerson, Ralph Jordan, Harrison Carroll, Richard Pollard, Peter Stackpole, Charles Daggett, Herbert Klein, Kay Proctor, John S. Truesdell, Ivan Spear, Luigi Luraschi, Frank Seltzer, William Wallace and Whitney Bolton.

'Wolf,' Show Draw $6,700 Seattle Gross

SEATTLE, April 10.—"The Sea Wolf" at the Orpheum, aided by "Dr. I.Q." on the stage, took $6,700, and "Lady Eve" at the Paramount drew $6,200. They were the only over-average grosses in a rather slow week. The weather continued warm and dry.

Estimated receipts for the week ending April 4:

"Tobacco Road" (20th-Fox)
"Play Girl" (RKO)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 4th week. Gross: $2,900. (Average, $4,000)
"Meet John Doe" (W.B.)
FIFTH AVENUE—(2,500) (40c-65c) 7 days, 2nd week. Gross: $6,600. (Average, $7,000)
"The Devil Commands" (Col.)
"The Face Behind the Mask" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $4,100. (Average, $5,000)
"A Girl, A Guy and a Gob" (U.A.)
"Youre the One" (Para.)
MUSIC BOX—(950) (30c-40c-50c) 7 days, 3rd week. Gross: $3,200. (Average, $4,000)
"The Sea Wolf" (W.B.)
"Double Date" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. "Dr. I.Q." on stage. Gross: $6,700. (Average, $6,000)
"Petticoat Politics" (Rep.)
"Mr. Dynamite" (Univ.)
PALOMAR—(1,500) (30c-40c-50c) 7 days. Vaudeville headed by "Schlepperman". Gross: $4,900. (Average, $5,000)
"The Lady Eve" (Para.)
"Melody for Three" (RKO)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $6,200. (Average, $6,000)

'Lady Eve' Draws $8,500, Montreal

MONTREAL, April 10.—"The Lady Eve" scored $8,500 at the Palace in a week of fine weather and generally good grosses. "Gone With the Wind" took $8,400 at Loew's in the third week.

Estimated takings for the week ending April 3:

"San Francisco Docks" (Univ.)
ORPHEUM—(1,000) (30c-43c) 7 days. Gross: $3,000. (Average, $4,000)
"Gone With the Wind" (M-G-M)
LOEW'S—(2,900) (30c-40c-60c) 7 days. Gross: $8,400. (Average, $7,000)
"Flight From Destiny" (W. B.)
"The Great Mr. Nobody" (W. B.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,100. (Average, $2,500)
"The Lady Eve" (Para.)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $8,500. (Average, $7,000)
"Adam Had Four Sons" (Col.)
"Blondie Goes Latin" (Col.)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $4,800. (Average, $4,000)

Defense Rests in Schenck Tax Trial

Without calling Joseph M. Schenck to the stand, the defense rested yesterday in the Government's trial of Schenck and Joseph H. Moskowitz in U. S. District Court here. Attorneys for both sides will sum up Monday, and Judge Grover M. Moscowitz will give his charge to the jury late Monday or Tuesday.

Harold H. Corbin, defense counsel, read to the jury a letter from the Treasury Department which denied his request to call Leonard Mulligan, Government agent, as a witness. Corbin told the court that he regretted his dispute with Judge Moscowitz on Wednesday, and withdrew his motion for a mistrial, which the court on Wednesday had denied.

Casey Coming East on New Studio Pacts

(*Continued from page 1*)

contract, which will be for five or 10 years.

The pact establishes basic working provisions between the internationals and the producers and is subject to re-opening annually for wage and hour negotiations.

The I.A.T.S.E. withdrew from the agreement about 18 months ago when it granted local autonomy to its studio unions. Indications are, however, that it will make application to reenter the agreement during the coming negotiations, since numerous I.A. studio unions already have requested the international to negotiate for them on several recent occasions.

Other unions which are parties to the agreement are the American Federation of Musicians; the International Brotherhood of Teamsters and Chauffeurs; the International Brotherhood of Carpenters and Joiners and the International Brotherhood of Electrical Workers.

The basic agreement negotiations were delayed from last month due to the local hearings by the Wages and Hours Division on the classification and reclassification of disputed studio crafts which have been under way here for the past few weeks. The Division's findings are expected to be handed down in four to six weeks.

Flag Group Honors Louis de Rochemont

The American Flag Association presented the Patriotic Service Cross to Louis de Rochemont, producer of the March of Time, at a luncheon yesterday at the Advertising Club, attended by executives of March of Time and RKO, which distributes the reel.

The award, presented by Col. James A. Moss, president of the association, cited the producer for the production of subjects which have stimulated the patriotism of Americans. "Men of the F. B. I. — 1941," the latest March of Time release, was screened, and Louis B. Nichols, administrative assistant to J. Edgar Hoover, F. B. I. director, spoke briefly on the development and work of the Government bureau.

RKO executives at the luncheon included: Ned E. Depinet, Phil Reisman, A. W. Smith, Jr., Robert Mochrie, Malcolm Kingsberg, William Clark, S. Barret McCormick, Harry Michalson, Walter Branson, Rutgers Neilson and Leon J. Bamberger. From March of Time were: Richard de Rochemont, John R. Wood, Jr., Albert E. Sindlinger, Thomas Orchard, Donald Higgins, Beverly Jones, Lothar Wolff, James Wolcott, Alan Brown, Rodgers Magee, Kenneth Cofod and George Black. Karl Hoblitzelle of Interstate Circuit, Dallas, was present.

Col. Sets Dividend

Columbia Pictures Corp. board of directors has declared a quarterly dividend of 68¾ cents per share on the $2.75 convertible preferred stock, payable May 15 to stockholders of record May 1.

Major Circuits Building Patronage by Children

Paramount, Warners and other major circuits recently have been concentrating on the development of patronage among children, both to create new audiences and to build goodwill, with an eye to the future as well as the immediate present. Paramount has been undertaking this project in the last few weeks around the country.

Warner Theatres, under the direction of Joseph Bernhard, general manager, and Ted Schlanger, Philadelphia zone manager, has developed this project among the 110 theatres in the Philadelphia zone. The circuit has used a number of promotion methods, at small cost, with good box-office results reported.

Prizes awarded by the circuit to managers in September, at the end of the fiscal year, are an added incentive to cultivate and develop juvenile attendance, it was stated by officials.

For the current season, Schlanger has sponsored a drive with the slogan, "Meet and Beat the Emergency." Last Winter Schlanger emphasized the importance of juvenile trade with a "Kiddie Check Sales" contest, based on the sale of child admission coupon books.

The value of children's goodwill in theatre operation is stressed to the Warner managers. An example was the recent use of the lobby of the Forum in Philadelphia for a school art exhibit, arranged by David Seaman, manager. He later benefited from a theatre party which involved 1,000 tickets.

Other reportedly successful juvenile promotions used by managers of the circuit included a children's fashion show, special after-school matinees, heralds especially designed for children.

'Zanzibar' Leads Broadway Parade

(*Continued from page 1*)

timated $17,600, on the picture's first two days, namely yesterday and Wednesday, it was officially reported.

At Radio City Music Hall, "That Hamilton Woman," embellished with the traditional Easter stage show on the stage, garnered an estimated gross of $100,000 on its first week. It is one of the biggest figures attained at that theatre this season.

The business which this picture is doing, and also "Pot O' Gold" at the Roxy, has impelled Harry Gold, vice-president in charge of eastern sales of United Artists to make official comment about them. He states that it is a rare occasion when a company can lay claim to having three of its premier films exhibited simultaneously in as many Broadway theatres. "Pot O' Gold" finished its first week, Wednesday night with an estimated $34,200, aided by a stage show. The third United Artists film on Times Square is "The Dictator," which opened yesterday at Loew's State.

"The Sea Wolf," another of the bigger new pictures of the season, the grosses indicate, climaxed a three-week performance at the Strand with an estimated gross of $18,500. Yesterday, "The Great Lie," new Warner Bros.' Bette Davis film opened at that house, with Jimmy Dorsey's orchestra on the stage.

"Meet John Doe" brought the Rivoli about $16,000 in its fourth week which ended Tuesday night and is holding over. The Columbia film "Escape to Glory" and which is billed at the Globe as "Submarine Zone", had a good first week, grossing in the neighborhood of $6,500, and is being held.

"Flying Wild" opens at the Rialto today, replacing "The Lone Wolf Takes a Chance." The latter did about $5,500 for the week. "The King of the White Elephant," produced in Siam with English dialogue, is in its second week at the Belmont.

Fairbanks Trusts In East $1,407,000

Three Eastern trust funds established by Douglas Fairbanks, Sr., prior to his death aggregated $1,407,000, it was disclosed in an accounting filed in Surrogate's Court here yesterday by Guaranty Trust Co., as executor and trustee of the Fairbanks' estate assets outside of California.

Pointing out that the California assets of the estate cannot be liquidated advantageously at this time and that there is insufficient cash in the estate there to meet specific bequests in Fairbanks' will, Guaranty Trust asks the court to transfer the Eastern assets, largely cash, to the California trustee, and to release Guaranty as trustee here.

The papers, filed by O'Brien, Driscoll & Raftery, attorneys for the estate, set forth that California assets cannot be removed from that jurisdiction, so that it is impossible to consolidate the estate assets here.

The accounting shows that the Fairbanks' Eastern trust funds consisted of one of $693,000 with the Guaranty Trust Co. here; one of $522,000 with the Bankers Trust Co. here and one of $192,000 with the Union Trust Co. of Pittsburgh. From these funds, $596,100 has been turned over to Bank of America, trustee for the Fairbanks' California estate, to meet bequests and for other estate requirements.

Eastern assets, exclusive of cash, included bonds and mortgage on an apartment building in the Bronx, which were sold for $246,375; a painting, "The Missionary," which was sold by the M. Knoedler Galleries for $3,500, and a set of golf clubs purchased by Dennis F. O'Brien, Fairbanks' attorney, for $15. An account with the Fifth Ave. Branch of the Guaranty Trust Co. had a balance of $81.16, and another with the Paris branch of the same bank had a balance of 1,004 francs.

Ordinary administration expenses of the trustee here amounted to $12,430. Several minor claims, some of which are in dispute, were filed against the estate by London creditors.

U.A. Producers Accept '41-'42 Selling Setup

(*Continued from page 1*)

on a schedule of 20 films which were to be sold, with the approval of the producers and owners on the following basis:

One picture at 40 per cent; seven at 35 per cent; six at 30 per cent, and six at 25 per cent.

Cancellation was not mentioned in the plan, at the start, but it is reported that certain producers questioned the blanket contract plan on that basis.

The plan also included provisions for arbitrating producers' differences. A committee was to have been set up for this purpose consisting of Mary Pickford, Walter Wanger and Maurice Silverstone, with Alexander Korda, Edward Small and Arthur W. Kelly as alternates.

The sliding scale provisions of the blanket contract plan were reported as based on a method of merchandising in force between M-G-M and Warner Theatres.

This was said to call for a sliding scale of 25 per cent to 40 per cent, in stages of 2½ per cent, subject to the usual deductions for double bills and combination shows; acceptance of a control figure per situation and also certain proving ground methods.

In the 20-pictures schedule there were to be four films from Alexander Korda, three from Walter Wanger, six from Edward Small, and one each from David Loew-Albert Lewin, Richard Rowland, Arnold Pressburger, Gabriel Pascal, Gloria Productions (Czekely) and Sol Lesser.

W. J. Merrill Dies; Was RKO Executive

(*Continued from page 1*)

president, controller and director of the Royal Baking Powder Co.; vice-president and treasurer of the Great Island Holding Corp., and vice-president and controller of W. and J. Sloane.

Merrill was born in Franklin, Idaho, August 22, 1898. He attended school and college and started his business career in the West. He was an alumnus of Utah Agricultural College and the Harvard Graduate School of Business Administration. A Victory Medal was awarded him in the World War.

He leaves his mother, Mrs. Elna Merrill of Richmond, Utah, and two children, June, 14, and W. J. Merrill, Jr., 16.

Upon being informed of Merrill's death, George J. Schaefer, president of RKO, who is at the studio in Hollywood, stated:

"The death of W. J. 'Bill' Merrill is a great shock to all of us. Not only do we deeply regret his passing but I feel it as a personal loss of a fine friend and a loyal business colleague, one who was deeply loved and respected by all of his business associates."

'Privates' at Good $16,500, Philadelphia

PHILADELPHIA, April 10.—Business continued at good levels, in spite of the fact that holdovers and second runs dominated the local scene. Of the new openings, "Buck Privates" was biggest with $16,500 at the Fox. "The Great Dictator" continued strong with $9,000 at the Stanton for its fourth week while "The Lady Eve," on a second run, gave the Karlton $6,100.

Estitmated receipts for the week ended April 2-4:

"Fantasia" (Disney)
ALDINE — (1,400) (50c-75c-86c-$1.14-$1.71) 7 days, 7th week. Gross: $8,500. (Average, $9,000)

"Mr. and Mrs. Smith" (RKO)
ARCADIA—(600) (35c-46c-57c) 7 days, 3rd run. Gross: $3,900. (Average, $2,600)

"Footsteps in the Dark" (W. B.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $11,300. (Average, $13,000)

"Her First Romance" (Mon.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Martha Raye, Wilbur Evans, Edith Fellows, Jimmy Woods, The Christianis, Will & Gladys Ahearn, and Three Swifts. Gross: $20,000. (Average, $14,000)

"Michael Shayne, Private Detective" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Bettie MacDonald, Collette, Steve Evans, Max and his Gang, Audrey & Pierce, and Olive White. Gross: $6,300. (Average, $6,900)

"Buck Privates" (Univ.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $16,500. (Average, $13,000)

"The Lady Eve" (Para.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $6,100. (Average, $3,000)

"Back Street" (Univ.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run, 2nd week. Gross: $4,100. (Average, $4,500)

"The Sea Wolf" (W.B.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 4 days, 2nd week. Gross: $8,800. (Average, $14,000)

"The Great Dictator" (U. A.)
STANTON—(1,700) (35c-41c-46c-57c-68c) 7 days, 4th week. Gross: $9,000. (Average, $4,500)

Wisconsin Measure Affects Girl Ushers

MADISON, Wis., April 10.—Exhibitors who have replaced ushers with usherettes are disturbed by the introduction of the Biemiller bill in the Wisconsin Assembly, which reduces the number of hours a woman may work from nine to eight in any day and from 50 to 44 in any one week. The measure also reduces the number of hours a woman may work in any four-week emergency period during a year from 10 hours a day to nine hours and not more than 50 hours in any such week. The bill provides that excess time is to be paid for at one and one-half times the regular rate.

Don't Forget....
You Have a Date....
National Convention of
The Variety Clubs
of America
Traymore Hotel
Atlantic City, N. J.
May 15th, 16th & 17th

Report 'Liberty' Film Is Building Goodwill

"Land of Liberty," the industry - sponsored patriotic film being distributed by M-G-M, has made important contributions to industry goodwill, according to a survey reported yesterday by Mark Larkin and Gordon White, on their return from three months of field exploitation work on the film for the M.P.P.D.A.

'Lady Eve' Draws $5,000 in St. Louis

ST. LOUIS, April 10.—"The Lady Eve" and "Footsteps in the Dark" drew $5,000 at the Missouri, in a week marked by slow business. The city was more interested in a heated municipal campaign.

Estimated takings for week ending April 3:

"Andy Hardy's Private Secretary" (M-G-M)
"Free and Easy" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $9,200. (Average, $13,000).

"Adam Had Four Sons" (Col.)
"Blondie Goes Latin" (Col.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $8,000. (Average, $11,500)

"A Girl, A Guy, A Gob" (RKO)
FOX—(5,038) (30c-40c-50c) 7 days. Stage show headed by the Four Ink Spots. Gross: $9,000. (Average, $11,000)

"The Lady Eve" (Para.)
"Footsteps in the Dark" (W. B.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,000. (Average, $4,000)

"A Man Betrayed" (Rep.)
"A Dangerous Game" (Col.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,100. (Average, $2,600)

'Buck Privates' at $7,900 in Buffalo

BUFFALO, April 10.—"Buck Privates," in its third week at the Lafayette, scored a strong $7,900, teamed with "I'm Nobody's Sweetheart Now." The Great Lakes dual, "Second Chorus" and "Flight from Destiny" took $9,300.

Estimated receipts for the week ending April 5:

"The Sea Wolf" (W. B.)
"Golden Hoofs" (20th-Fox)
BUFFALO—(3,489) (30c-55c) 7 days. Gross: $11,200. (Average, $12,000)

"Second Chorus" (Para.)
"Flight from Destiny" (W. B.)
GREAT LAKES—(3,000) (30c-55c) 7 days. Gross: $9,300. (Average, $7,500)

"Andy Hardy's Private Secretary" (M-G-M)
"Murder Among Friends" (20th-Fox)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $7,700. (Average, $6,800)

"A Girl, A Guy And A Gob" (RKO)
"Scattergood Baines" (RKO)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $4,000. (Average, $7,500)

"Buck Privates" (Univ.)
"I'm Nobody's Sweetheart Now" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days, "Privates" 3rd week. Gross: $7,900. (Average, $6,300)

Theatre Building Booming on Coast

(*Continued from page 1*)

one is being built for O. W. Lewis at San Gabriel.

Ralph Gruenauer plans a 1,000-seat house here, and Ray Robbins plans another nearby. Rodney Pantages plans a theatre and office building here and Seth Perkins is planning a 1,000-seat house in the San Fernando Valley. In National City, Harry Goldfarb plans a second house, and Ivan Hansen and Fox West Coast each plan a theatre in North Long Beach.

'Nice Girl?' Capital Winner at $9,500

WASHINGTON, April 10. — "Nice Girl?" at the RKO Keith took $9,500 in the second week. "The Bad Man" and a stage show at Loew's drew $16,500.

Estimated receipts for the week ending April 2-3:

"The Sea Wolf" (W. B.)
WARNER'S EARLE — (2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Singing Powers Models, Joe & Jane McKenna, Maysy & Brach, Roxyettes. Gross: $15,400. (Average, $15,000)

"Tobacco Road" (20th-Fox)
LOEW'S PALACE — (2,300) (39c-55c) 7 days. Gross: $11,500. (Average, $15,000)

"The Bad Man" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Paul Haakon, Alan Gale, Frank & Jean Hubert, Six Honeys, Rhythm Rockets. Gross: $16,500. (Average, $15,500)

"Vivacious Lady" (RKO)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days, revival. Gross: $5,300. (Average, $4,500)

"Andy Hardy's Private Secretary" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, 2nd week. Gross: $4,800. (Average, $4,000)

"Nice Girl?" (Univ.)
RKO-KEITH'S—(1,834) (39c-55c) 7 days, 2nd week. Gross: $9,500. (Average, $7,500)

'Andy Hardy' Pulls $15,500, Pittsburgh

PITTSBURGH, April 10.—"Andy Hardy's Private Secretary" with $15,500 at Loew's Penn, and "A Guy, A Girl and A Gob" with "Earl Carroll's Vanities" on the stage at $18,000 for the Stanley paced theatres in a week slightly under normal on the average.

Estimated receipts for the week ending April 3:

"Fantasia" (Disney)
FULTON—(1,700) (50c-75c-$1.10-$1.65) 7 days, 5th week. Gross: $5,200. (Average, $5,000)

"Andy Hardy's Private Secretary" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $15,500. (Average, $13,000)

"The Lady Eve" (Para.)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $3,000. (Average, $3,500)

"Escape to Glory" (Col.)
"Trail of the Vigilantes" (Univ.)
SENATOR—(1,700) (28c-44c) 7 days. Gross: $4,500. (Average, $5,000)

"A Guy, A Girl, and A Gob" (RKO)
STANLEY—(3,600) (28c-44c-66c) On stage: Bert Wheeler and "Earl Carroll's Vanities." 7 days. Gross: $18,000. (Average, $18,000)

"The Trial of Mary Dugan" (M-G-M)
"You're the One" (Para.)
WARNER—(2,000) (28c-44c) 7 days. Gross: $3,600. (Average, $5,000)

'Lady Eve' Scores $10,000, Kansas City

KANSAS CITY, April 10.—"The Lady Eve" at the Newman scored a strong $10,000 in a week of otherwise only fair grosses.

Estimated receipts for the week ending April 1-2:

"Las Vegas Nights" (Para.)
"The Man Who Lost Himself" (Univ.)
ESQUIRE—(800) (28c-44c) 5 days, 4 days, split. Gross: $1,800. (Average, 9 days, $2,900)

"Andy Hardy's Private Secretary" (M-G-M)
"Blonde Inspiration" (M-G-M)
MIDLAND — (4,000) (28c-44c) 7 days. Gross: $7,500. (Average, $9,500)

"The Lady Eve" (Para.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $10,000. (Average, $7,000)

"A Girl, Guy and a Gob" (RKO)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $5,000. (Average, $5,000)

"Little Men" (RKO)
TOWER—(2,200) (30c) 7 days. Stage show, Bye Bye Blues. Gross: $5,500. (Average, $6,000)

"Las Vegas Nights" (Para.)
"The Man Who Lost Himself" (Univ.)
UPTOWN—(2,000) (28c-44c) 5 days, 4 days, split. Gross: $2,100. (Average, 9 days, $3,800)

'Melody' and Show Frisco Hit at $32,800

SAN FRANCISCO, April 10.—"Melody for Three," with Carmen Miranda and Billy Gilbert on the stage, drew $32,800 in nineteenth anniversary week at Golden Gate, second high[illegible] week in the theatre's history. "T[illegible] Bad Man" and "Golden Hoofs" took $18,500 at the Fox, and was held a second week.

Estimated receipts for the week ending April 1-5:

"Melody For Three" (RKO)
GOLDEN GATE—(2,850) (40c-50c-59c) 7 days. Stage: Carmen Miranda, Billy Gilbert. Gross: $32,800. (Average, $15,000)

"Topper Returns" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 7 days. Gross: $9,200. (Average, $8,000)

"Adam Had Four Sons"' (Col.)
"Ellery Queen's Penthouse Mystery" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-55c) 7 days. Gross: $7,600. (Average, $8,000)

"The Bad Man" (M-G-M)
"Golden Hoofs" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $18,500. (Average, $16,000)

"The Lady Eve" (Para.)
"Behind The News" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $11,500. (Average, $11,500)

"The Sea Wolf" (W. B.)
"The Great Mr. Nobody" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $6,400. (Average, $6,000)

"Meet John Doe" (W. B.)
WARFIELD—(2,680) (40c-50c-65c) 7 days, 3rd week. Gross: $9,500. (Average, $12,000)

"Personal Column" (Pax Films)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $800. (Average, $1,000)

"Fantasia" (Disney)
GEARY — (1,288) (55c-75c-$1.10-$1.65, 7 days, 5th week. Gross: $12,700. (Average, $12,000)

New Haven Is Slow; 'Adam' Gets $6,200

NEW HAVEN, April 10.—"Adam Had Four Sons," dualed with "Meet Boston Blackie," took $6,200 at the Roger Sherman. At the Paramount the second week of "The Lady Eve" and "Murder Among Friends" brought $4,500. Other houses were under average.

Estimated receipts for the week ending April 3:

"The Great Dictator" (U. A.)
"Sleepers West" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,500. (Average, $2,700)

"Tobacco Road" (20th-Fox)
"Road Show" (U. A.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $6,000. (Average, $8,000)

"The Lady Eve" (Para.)
"Murder Among Friends" (20th-Fox)
PARAMOUNT—(2,348) (39c-50c) 7 days, 2nd week. Gross: $4,500. (Average, $4,500)

"Adam Had Four Sons" (Col.)
"Meet Boston Blackie" (Col.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $6,200. (Average, $5,000)

Mayer, Burstyn in Mexican Film Deal

Arthur Mayer and Joseph Burstyn have concluded a deal with Pan-American Films for world distribution rights on "The Forgotten Village." The film was produced in Mexico with Herbert Kline directing from an original story by John Steinbeck. The distributors say they plan to release the picture here early in May to coincide with publication of a book of the same name by Steinbeck.

Mayer will return here from the Coast by plane Saturday with his son, Peter.

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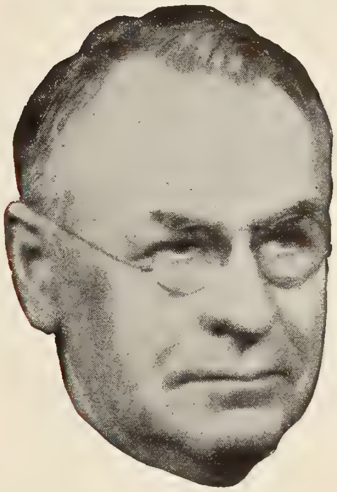

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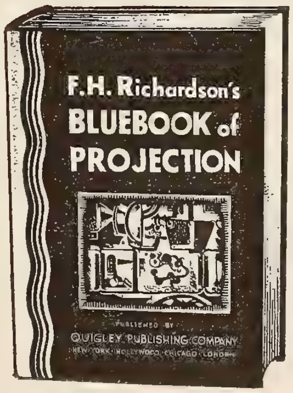
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Ascap Starts CBS Talks on New Contract

Ascap today will hold its first meeting with CBS to begin negotiations on a new licensing agreement, after yesterday concluding negotiations for the blanket licensing of nine Montana stations.

The CBS negotiations will be the first on the new "per program" contract, since its negotiations with Mutual this week were inconclusive inasmuch as the MBS committee is not authorized to commit the network's stockholders.

The Montana licenses are for five years, retroactive to Aug. 1, 1940, and follow the terms of the small-station contracts offered by Ascap last year, which several hundred other independent stations accepted prior to last Jan. 1, on the expiration of their old contracts.

The signing of the Montana stations is regarded as of prime significance in that broadcasters of that state were the first to sponsor and have enacted an anti-Ascap law, and, in the past four years have harassed the music society.

Ascap has collected no royalties in the state since April, 1937, due to the enactment of the state law, but has continued to check on the unauthorized use of its music in Montana, and, according to report, has scores of infringement cases prepared or on file.

As part of the new contract negotiations, however, these infringement cases either will be abandoned or will not be prosecuted. In addition, the Montana anti-Ascap law was repealed during February. New contracts with the state broadcasters could not have been entered into otherwise.

The nine stations which signed are: KFBB, Billings; KGCX, Wolf Point; KGEZ, Kalispell; KGHL, Billings; KGIR, Butte; KGVO, Missoula; KPFA, Helena; KRBM, Bozeman, and KRJF, Miles City. Representing the stations in the negotiations were: Edward B. Craney, owner of KGIR and manager of the Z Network, Montana; Phil Loucks, Washington, D. C., attorney; F. A. Buttrey, owner of KFBB; Henry Claxton, Montana attorney, and Edward Yocum, owner of KGHL.

In addition to their numerous court and legislative sallies against Ascap, the Montana broadcasters were credited last spring with having inspired the serving of a warrant issued in their state, on Gene Buck, Ascap president, in Phoenix, Ariz., on Memorial Day. A high cash bail was set which Buck had difficulty in raising on the holiday. He reposed in custody at Phoenix until cash collections from Fox West Coast theatres receipts for the day, sufficient to meet the bond, were forwarded by the Skouras office. The warrant was issued on a Montana contempt of court charge and was subsequently quashed.

Buys Unwritten Novel

HOLLYWOOD, April 10.—RKO has purchased the screen rights to an as yet unwitten novel by I. A. R. Wylie.

Off the Antenna

MARKING a departure from its policy during its 20 years of existence, the Bureau of Advertising of the American Newspaper Publishers Association will permit the broadcast of the principal address at its annual dinner on Thursday, April 24. Mutual will carry the talk, 9:30-10 P.M.

• • •

Purely Personal: *Dr. Peter Goldmark, CBS chief television engineer, will be interviewed over WABC Monday by Adelaide Hawley on "Women's Page of the Air." . . . Robert E. Shelby, NBC development engineer, will discuss television before a meeting of the Signal Corps Association at Governor's Island April 17. . . . Leon Schlesinger, cartoon producer for Warner Bros., will be guest of "Al Pearce and His Gang" over CBS at 7:30 tonight. . . . Frank Forest, tenor on "Double or Nothing," heard over Mutual Sundays, has had his contract renewed for an additional 13 weeks. . . . Allen Stuart has received the announcing assignment on the Dorothy Kilgallen show over CBS. . . . Art Tolchin, WHN salesman, became the father of a daughter, Patricia, this week. . . . E. Schuyler Ensell on Monday will join WABC as a salesman, replacing Beverly M. Middleton, who has been promoted to CBS radio sales.*

• • •

WMCA yesterday received a 52-week renewal, effective Monday, of the two-hour period of Blackett-Sample-Hummert shows heard Monday through Friday 1:15-3:15 P.M. The transcribed programs are sponsored by Sterling Products and American Home Products. The shows are "Our Girl Sunday," "Romance of Helen Trent," "Easy Aces" and a 75-minute musical, "Sweetest Love Songs of Today."

• • •

Elmer Davis, who will return from a vacation at Key West, Fla., on April 20, will fly to England three days later for first-hand inspection of conditions. He will return before June 1, when his nightly 8:55-9 series over CBS goes commercial seven nights weekly. While Davis is away, Bob Trout will substitute for him on the daily series while William L. Shirer, former CBS correspondent in Berlin, will take over the 6:30-6:45 P.M. Saturday program.

• • •

The FCC recently received a request for the commission's view as to whether the owner and operator of a broadcast station could be properly classed in a national defense industry and therefore exempt under the Selective Service Act. The letter came from Mississippi, it was said, although the identity of the writer was not disclosed.

In reply, the FCC pointed out that under the Act there is no occupational deferment as such, but added, "You will understand that the commission's policy is not based upon any failure on its part to appreciate the national importance of the contributions of the personnel of the broadcasting industry."

• • •

The "Screen Guild Theatre" will wind up its third season over CBS Sunday, April 20, and Gulf Oil will use the weekly CBS roundup of its foreign correspondents as the summer replacement for the program. The roundup, now heard 2:30-3 P.M. Sundays, will move to the 7:30-8 P.M. spot and will be called "World News Tonight." Reports from Washington and New York correspondents will be included.

Bill Stern Is Named NBC Sports Events Director

By SAM SHAIN

Bill Stern yesterday was named director of sports events for NBC. Stern is a product of show business. His career began at the Roxy Theatre, when that Broadway citadel of entertainment was the leading show place place of the country and the theatre was operated under direction of that master showman, the late S. L. Rothafel—Roxy. Stern was pretty young but his talents were recognized even then for Roxy named him assistant stage manaer, in 1931. In the fall of 1932, when Roxy opened the Radio City Music Hall, Stern went along as stage manager.

Then, one day, Stern left his theatre job. He resigned and show business didn't hear much of him, until one bright day he was discovered as a commentator on football, for NBC. And—show business claimed him once more, forgetting the fact that actually, Stern was no novice, even then, as young as he was, at sport announcing, because in 1925 he was doing his favorite work for Station WHAM, Rochester.

Last year, Stern reached a new height—being named the industry's best sports announcer in MOTION PICTURE DAILY'S Fifth Annual Radio Poll. This is a poll which is served by most of the country's daily newspaper radio editors.

Stern's new duties as chief sports officer at NBC, it is understood, will become effective on Tuesday. He will report directly to Sidney N. Strotz, vice-president in charge of programs. A. A. Schechter, director of news and special events, has been NBC's deputy in control of sports, until Stern's appointment. Stern served under Schechter but with the new appointment steps out into authority in his favorite field of endeavor. He will be the boss of both the commercial and sustaining sports programs for the Red and the Blue networks.

Stern has been official sports announcer for NBC since 1935 and newsreel sports announcer for the M-G-M's newsreel, "News of the Day," for the past three years, a task which he will continue to execute.

Turn About

Playwrights who have frequently complained about the treatment received from newspaper drama critics at last will get an opportunity to strike back through the medium of radio. Starting today, dramatists will be permitted to review their own plays immediately after the Broadway opening as guests of David Lowe's "Soundtrack" over WNEW. First guests will be Laura and S. J. Perelman, authors of "The Night Before Christmas," which opened at the Morosco last night. The program will be heard at 12:30 P. M.

May Co. Planning Television Set Sale

LOS ANGELES, April 10.—The May Department Stores Co. is conducting a survey of television set merchandising in department stores here and in Chicago, New York, San Francisco, Philadelphia and Boston, on which will depend a possible $10,000,000 order for the manufacture of television receivers, according to *Motion Picture Herald.* The sets are to retail for about $285.

If the survey, which is being conducted by Tom May, executive vice-president, and Gerald Fitzgerald, in charge of May Co. television activities, warrants it, an initial order for 50,000 sets will be placed. The orders, of course, will be subject to defense program priorities. A 12-inch screen is planned.

The merchandising survey also will be extended to such cities as Akron, Baltimore, Cleveland, Denver and St. Louis, where the May Co. operates stores, but which cities have no television transmitter facilities at present.

Ease Requirements For Air Engineers

WASHINGTON, April 10. — Because of the urgent need for qualified engineers in the national defense program the Civil Service Commission today waived the requirement of a four-year college course and announced it would receive applications from radio engineers who, failing the educational requirement, can show professional experience of the proper quantity, type and quality.

Positions paying from $2,600 to $5,600 a year are open, and applications will be received up to June 30, next. The maximum age limit has been raised to 60 years.

Gross Named FCC Engineering Aide

WASHINGTON, April 10.—Gerald C. Gross, chief of the International Division of the Federal Communications Commission's engineering department, today was apponted assistant chief engineer and chief of the Broadcast Division, succeeding Andrew D. Ring.

George P. Adair of the engineering department staff was named assistant chief of the Broadcast Division and Philip F. Siling was named to the post in the international Division vacated by Gross.

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Films' Weekly Charity Gifts Total $30,000

$1,014,000 Raised in Nine Months, Says Goldwyn

Hollywood, April 13.—The motion picture industry is contributing almost $30,000 a week for various charities, it was disclosed over the weekend.

This is on the basis of a report by Samuel Goldwyn, chairman of the Motion Picture Permanent Charities Committee, in Hollywood, who announced that $1,014,450 had been contributed by the industry in nine months to various official agencies.

Goldwyn announced that $104,833 had been raised to date for Greek war relief. Large sums have also gone to British war relief.

The amount reported by Goldwyn does not include contributions made

(*Continued on page* 4)

'Kane' May Open at Palace on April 29

"Citizen Kane" is tentatively set for a world premiere on April 29 or 30 at the Palace on Broadway on a two-a-day policy at advanced admissions, it was learned over the weekend.

A later opening, probably about the middle of May, is scheduled for the picture in another Broadway house where it will play continuous performances at popular prices. The house has not been set yet.

The picture will open in Chicago at the RKO Palace and the Woods about May 6. It will play two-a-day at the Woods on a reserved seat

(*Continued on page* 4)

Walker Will Attend Variety Club Affair

Postmaster General Frank C. Walker has accepted an invitation to attend the National Variety Club annual convention in Atlantic City May 15 to 17, at the Hotel Traymore. Leading executives of the industry will attend, including Barney Balaban, Herman Robbins, W. G. Van Schmus, Rick Ricketson, Stanton Griffis, Joseph Bernhard, Herman Wobber and William F. Rodgers.

W.B. Will Release All 48 by Sept. 1

Hollywood, April 13.—Warners will deliver all of the 48 pictures scheduled for 1940-'41, with about 20 to be released, according to reports. Production will be pushed to complete delivery by the start of the new season, Sept. 1, it was said, and the studio plans to have five or six ready for release each month. Six pictures, it was reported, are ready for release in May.

U.A. to Have Five Roach 4-Reel Films

Hal Roach will produce five of his new four-reel "featurettes" for United Artists' new season release schedule, the company announced on Saturday.

[*Roach's plans to concentrate on the new type of comedies were reported by* Motion Picture Daily *on March* 10.]

He will begin preparation today on the first two productions, "Niagara Falls" and "Tanks a Million." All five will have leading players in their casts and top directors will be assigned to them, the company announced. They will run approximately 50 minutes.

Paul Gerard Smith will join the Roach organization as story head today, with Jess Moffatt, comedy writer, on the staff. Eugene Conrad, radio comedy writer, has been signed by Roach and will join the staff next Monday.

SCHINE DECREE BID REJECTED BY U. S.

Circuit Had Offered to Sign Consent Decree Identical to Five Majors; Move Seen Clue to Policy on Other Suits

The Department of Justice has rejected an offer by the Schine Circuit to sign a consent decree identical with that entered into by the five major companies, it was learned over the weekend.

The department's action is viewed as a revelation of the policy it will pursue with respect to consent decree settlements also of the anti-trust suits against Crescent Amusement Co. in Nashville and Griffith Amusement Co. in Oklahoma City, and is believed to virtually eliminate the chances of settlement in all three cases.

The Schine proposal to accept the same decree which the Government approved for the "Big Five" was keyed to the decree's provisions covering circuit expansion during the ensuing three years.

In substance, the provisions restrict parties to the decree from engaging in any general program of theatre expansion for a period of three years but permits them to acquire theatre interests when necessary for the protection of existing theatre investments and

(*Continued on page* 4)

RKO to Distribute 5 Disney Features

Hollywood, April 13.—RKO has closed deals for distribution of four new Walt Disney feature length cartoons, and discussions are now being held here regarding the general release by the company of "Fantasia."

Under a deal closed yesterday, RKO will distribute "Dumbo" and the first feature length Mickey Mouse cartoon. Both will be in color and are in addition to a deal closed earlier for distribution of "The Reluctant Dragon" and "Bambi."

George J. Schaefer, RKO president, announced yesterday that the company also had concluded arrangements for a new long-term releasing deal for the Disney short subjects, extending the present release arrangements.

Disney's plans continue feature-length production which he initiated with "Snow White and the Seven Dwarfs," produced in 1937.

Cronin Named Aide To Frank Walker

Announcement has been made in Washington of the appointment of William F. Cronin of New York as executive assistant to the Postmaster General. Cronin has long been associated with Frank C. Walker. He has been serving as senior administrative officer in the office of the Postmaster General, and prior to that was associated with Walker at the New York office of Comerford Theatres.

Bombs Raze Para. Birmingham Office

The Paramount exchange at Birmingham, England, was destroyed by Nazi bombs in an air raid last Thursday, according to word received here by John W. Hicks, Jr., vice-president in charge of foreign activities. A night watchman was reported killed. The exchange's records had been removed previously.

Nation's Short Wave Units To Coordinate for Defense

Cooperation and coordination of activities among the nine 50,000-watt international short wave stations in the country is planned for national defense, it was disclosed yesterday, coincident with the announcement of the appointment of Stanley P. Richardson, veteran foreign correspondent, as international broadcasting coordinator.

The announcement was made by a joint committee representing NBC. CBS, General Electric, Westinghouse Electric & Manufacturing, World Wide Broadcasting and Crosley Corp.

The purpose of the appointment is to make the most effective use of short wave facilities in the interests of national and hemispheric defense, it was explained. Richardson will assist

(*Continued on page* 4)

Greenblatt Is Named PRC Sales Manager

Arthur Greenblatt, former Monogram sales official, was named general sales manager of Producers Releasing Corp., by O. Henry Briggs, president, on Friday. The appointment is effective today.

Greenblatt, who also served as sales manager for Gaumont-British and later for Alliance Film Corp., will leave in about 10 days on a tour of P.R.C. exchanges and for conferences on the Coast with George Batcheller, P.R.C. feature production head, and Sigmund Neufeld, supervisor of western productions. He is due back in New York about June 1.

Troubles

Newark, April 13

BETWEEN war and Spring, two local managers are having their troubles. Sidney Franklin of the Little Theatre, says defense industries are carrying off his cashiers, while William Phillips of Loew's State complains of an epidemic of weddings among his usherette staff.

Circuit Heads Will See 'Penny Serenade'

Circuit executives and exhibitors in the New York metropolitan area are among those who have accepted invitations for the trade and press showings of Columbia's "Penny Serenade" at the Astor Theatre tomorrow.

The company announced Friday that the following are among those who have signified their intention of attending: Harry Arthur, Herman Becker, John Benas, Gus Eysell, Sam Dembow, S. H. Fabian, Max Fellerman, Louis Frisch, Jack Hattem, Al Hovell, Leo Justin, Harry Katz, Ike Libson, Charles Moses, Fred Meyers, Leon Netter, John Nolan, J. J. O'Connor, Eugene Picker, Walter Reade, Jr., Sam Rosen, Sam Rinzler, Edward Rugoff, Fred Schwartz, George Skouras, William White and Morrie White.

Report Progress In Disney, Guild Talks

HOLLYWOOD, April 13.—Conferences begun Friday will continue this week between Walt Disney studio officials and labor representatives to discuss recognition of the Screen Cartoonists Guild as the official bargaining agency. At the close of Friday's meeting, it was reported that progress had been made.

Present were Aubrey Blair, A. F. L. organizer; Herbert Sorrell, business representative, Motion Picture Painters; George Bodie, Guild attorney; Gunther Lessing, Disney attorney, and Herbert Lamb, Disney comptroller.

Conn. Allied Unit to Nominate Tomorrow

NEW HAVEN, April 13.—Allied Theatre Owners of Connecticut will met at noon Tuesday at the Hof Brau Haus with A. M. Schuman presiding. The nominating committee, headed by Joseph F. Reed, Lawrence C. Caplan, executive secretary, and Sam Bailey will bring in a slate of officers to be voted on at the next meeting.

Kieran to Be Fall Guy

John Kieran will be the Fall Guy at the next meeting of the Circus Saints and Sinners Club, Dexter Fellowes Tent, April 24 at the Hotel Astor.

MILLIONS ARE WAITING TO SEE
the LAST MILE

Personal Mention

SIDNEY R. KENT, president of 20th Century-Fox, returned Saturday from Florida.

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ARTHUR W. KELLY, United Artists vice-president in charge of distribution, is expected from the Coast today.

•

PAT CASEY, producers' labor contact, is scheduled to arrive from the Coast today.

•

WILLIAM C. GEHRING, Central division manager of 20th Century-Fox, is expected to return to his office today after recovering from an illness.

•

PAUL RADIN of Buchanan & Co. left Friday with MRS. RADIN for Hollywood. They will be gone a month.

•

DOUGLAS LEISHMAN, personnel director for the Schine Circuit in Gloversville, N. Y., was in town over the weekend with MRS. LEISHMAN.

•

HARRY M. BESSEY, secretary-treasurer of Altec Service Corp., has returned from a trip through New York State.

NATE J. BLUMBERG, Universal president, leaves for the studio tonight for an extended stay. J. CHEEVER COWDIN, board chairman, will leave for the Coast Wednesday. BLUMBERG and JOSEPH H. SEIDELMAN, vice-president and foreign manager, returned yesterday from the company's sales meeting in Panama.

•

H. M. RICHEY, assistant to WILLIAM F. RODGERS, M-G-M general sales manager, returned to his office Friday following a brief illness.

•

GEORGE WEBER, M-G-M checking supervisor in New Haven, and MRS. WEBER were hosts to the Metro Pep Club in New Haven last week at a housewarming.

•

TONY GABLICK, art director of the Warner advertising department, will exhibit a painting at the American and British Art Center, which opens this week.

•

MR. AND MRS. MENDEL SILBERBERG are in town.

Hillside to Question Officers of MPPDA

Federal Judge John C. Knox on Friday signed an order authorizing Hillside Amusement Co., operator of the Mayfair Theatre, Hillside, N. J., to examine before trial officers of the MPPDA. The examinations are in reference to the $900,000 triple damage anti-trust suit brought by Hillside against the MPPDA and the eight major companies.

The suit, first to be filed since the signing of the consent decree, repeats to a large extent the charges made in the Government's New York anti-trust suit.

20th-Fox Enlarges Studio Story Staff

HOLLYWOOD, April 13.—The story department of 20th Century-Fox has been expanded, following the company's purchase of 11 novels, four stage plays and six short stories and originals, it is announced by Julian Johnson, story editor.

Additions to his staff include David Matthews, who will work with Robert Bassler, assistant to Johnson, and James Fisher, former story editor for B. P. Schulberg, who will assist Ernst Lubitsch. Louis Moore and William Tunberg have been promoted to special editorial assistants.

Hollywood Group to Premiere of 'Flame'

NEW ORLEANS, April 13.—Bruce Cabot, who plays opposite Marlene Dietrich in "The Flame of New Orleans," will lead the contingent of Hollywood personalities for the world premiere of the Universal production at the Orpheum Theatre here April 24.

With Cabot will come producer Joseph Pasternak, director Rene Clair, Andy Devine, Mischa Auer, Hugh Herbert, Peggy Moran, Anne Gwynne and Helen Parrish.

Trotta Nominated As Ampa President

Vincent Trotta, art director of Advertising Accessories, Inc., has been nominated for president of the Ampa to succeed Leon Bamberger, it was disclosed by the nominating committee over the weekend. Elections will take place April 24.

The official slate also includes the following nominations: Vice-president, Edward Schreiber, Warners; secretary, Martin Starr; treasurer, Eli E. Sugarman; directors, Leon Bamberger, Paul N. Lazarus, Jr., Rutgers Neilson, Maurice Bergman, Louis Pollock; trustees, three years, William R. Ferguson, and two years, Charles E. McCarthy; auditing committee, Gordon White, Eileen St. John Brenon, Ruth Weisberg.

John C. Flinn was chairman of the nominating committee.

Merrill Rites Held; Interment in Utah

Funeral services for W. J. Merrill, vice-president and treasurer of RKO and vice-president of RKO Radio Pictures, were held yesterday at Riverside Funeral Chapel here. Burial will be at Richmond, Utah, his former home.

Texas Union Elects

SAN ANTONIO, April 13.—New officers of the local operators union are: Charles Breuning, president; Genero Gracia, vice-president; John Dennis, business agent; Ben Kusenberger, recording secretary; Eugene Muller, treasurer, and Joseph Quevas, sergeant-at-arms.

Plan Summer Theatre

Jesse Long, Broadway manager, and Tom Adrian Cracraft, designer, are reported negotiating for the E. K. Lincoln Film Studios, Ridgefield, N. J., for the purpose of converting them into a Summer playhouse for legitimate plays.

Fairbanks Official State Dep't Envoy

Douglas Fairbanks, Jr., will conduct a survey of the effect of our effort to foster good cultural relations with Latin-American countries as an official envoy of the State Department, he told a group of reporters at a press conference Friday. His designation to the post was published in MOTION PICTURE DAILY on Friday.

During a two-month trip th[illegible] about eight Central and South [illegible]ican countries it will be his task to gather first hand data from trade and political groups on all phases of the cultural side of our relations with those countries, he declared.

Fairbanks pointed out that efforts have been made to improve our relations through films. He will interview officials to see how effective such films are and what can be done to improve the use of Hollywood productions in Latin America. He is studying Spanish and hopes to make a number of speeches during his trip in that language, French or English. He will speak to exhibition executives and all persons connected in any way with the theatre and will report back to the State Department in the role of a "Governmental reporter."

Fairbanks' assignment came as the result of numerous conferences with President Roosevelt, it was disclosed. He will leave next Monday for Miami and will take a plane two days later for Rio de Janeiro. Production of his next film for Edward Small has been delayed until July.

Louisville Approves Daylight Saving Time

LOUISVILLE, Ky., April 13.—Daylight saving time for Louisville, beginning April 27 and continuing until Sept. 28, needs only the approval of Gov. Keen Johnson, which is expected.

In a surprise move the Board of Aldermen voted 10 to 2 to petition the Governor for the change in time. The action followed a Junior Board of Trade campaign for the step. At the same time Mayor Homer C. Vawter of Jeffersonville, Ind., and Mayor Noble Mitchell of New Albany, Ind., across the Ohio River from Louisville, said their respective city councils would be asked also to adopt daylight saving time to conform with Louisville.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Mr. Exhibitor!

WAKE UP FOR UNIVERSAL'S ALL TIME HOLDOVER CASH SMASH OF THE YEAR!

Wake up and multiply... multiply the population of your town by the price of your seats ... and you'll get an idea of the kind of grosses this super-surprise is rolling up!

5 WEEKS at Penn Theatre, Wilkes-Barre . . . to shatter all house records!

5th WEEK of sock B. O. in New Orleans . . . and no let-up in sight yet!

4 WEEKS at Gopher in Minneapolis.. a new record for holdovers!

4 WEEKS in Sacramento and Oakland ...they went khaki-wacki!!

4 WEEKS of terrific business at the Lafayette in Buffalo! !

3 WEEKS record-busting business at the Albee Theatre, Providence!

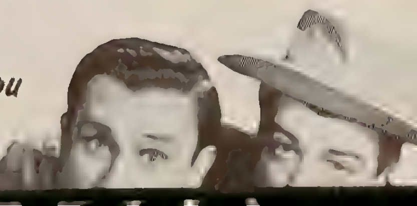
3 WEEKS in Long Beach, Cal. for the biggest grosses in many years

PENN
HELD FIFTH WEEK
ITS REALLY SO FUNNY
"BUCK PRIVATES"

Bud ABBOTT & Lou COSTELLO
in
BUCK PRIVATES
with LEE BOWMAN ALAN CURTIS
JANE FRAZEE · NAT PENDLETON · SAMUEL S. HINDS
and The ANDREWS SISTERS
With the world's champion jitter-bugs
Original Screen Play by Arthur T. Horman · Special material for Abbott and Costello by John Grant
Directed by Arthur Lubin
Associate Producer: Alex Gottlieb
A UNIVERSAL PICTURE

DOZENS OF 2 AND 3 WEEKS HOLDOVERS IN EVERY CORNER OF THE COUNTRY!

We'll be seeing you in the Navy soon!



Circuit Ban In Arkansas Ruled Invalid

LITTLE ROCK, Ark., April 13.—The Arkansas Supreme Court has ruled that a city has no authority to prohibit the operation of two or more motion picture houses owned by a single person or firm.

The opinion upheld a Conway County Chancery Court decree enjoining the City of Morrillton from attempting to enforce an ordinance designed to prevent Malco Theatres, Inc., from operating more than one theatre in the city.

The city last year amended an earlier license tax on theatres, voting a provision prohibiting any person or firm from operating more than one theatre within the city limits. Malco, preparing to build a second theatre in Morrillton, filed suit. The lower court decided for the company, and was sustained by the state Supreme Court. The circuit had charged that the ordinance was unconstitutional.

'Come Live' $8,500 New Haven Leader

NEW HAVEN, April 13.—The only house to edge over average was the Loew-Poli, with "Come Live With Me" and "Dead Men Tell," at $8,500. "Las Vegas Nights" and "Golden Hoofs" took $4,500 at the Paramount. Pre-Easter business was reported under last year.

Estimated receipts for the week ending April 10:

"Tobacco Road" (20th-Fox)
"Road Show" (U. A.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $1,400. (Average, $2,700)
"Come Live With Me" (M-G-M)
"Dead Men Tell" (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,500. (Average, $8,000)
"Las Vegas Nights" (Para.)
"Golden Hoofs" (20th-Fox)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,500. (Average, $4,500)
"A Girl, a Guy and a Gob" (RKO)
"Melody for Three" (RKO)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,500. (Average, $5,000)

'Penalty' and Kaye $17,000 in Baltimore

BALTIMORE, April 13.—Business here was hurt by stormy weather and pre-Easter activities. At the Hippodrome, "The Penalty" plus Sammy Kaye and his Orchestra with a band leader contest on the stage, drew $17,000.

Estimated receipts for the week ending April 10:

"The Bad Man" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $8,500. (Average, $10,000)
"The Mad Doctor" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $8,000. (Average, $9,000)
"Footsteps in the Dark" (W. B.)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)
"The Monster and the Girl" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $12,000)
"The Penalty" (M-G-M)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Sammy Kaye and orchestra with contest for band leaders from audience. Gross: $17,000. (Average, $14,000)

British Labor to Be Exempt Temporarily

LONDON, April 13.—The Ministry of Labor has advised the film industry in effect that only technicians under 25 will be called for military service pending the decision of a special committee on the industry's request that industry manpower be exempted to prevent a shortage of film labor.

Following its initial meeting, the joint industry-Government committee is launching an investigation into the extent of the Government's need for manpower, the film needs of the armed forces, the extent to which feature film production is still possible, the labor resources of the industry and its minimum needs.

The companies will compile a complete list of technicians employed and the union a list of those unemployed, while the military services are expected to list film technicians in uniform. The companies also will outline the films they plan and the studio capacity available. All meetings of the committee are being held in secret, with no public hearings scheduled.

'Girl, Guy and Gob' Gets $5,100, Omaha

OMAHA, April 13.—"A Girl, a Guy and a Gob," dualed with the reissue, "Vivacious Lady" at the Brandeis, took $5,100 in a week in which rainy weather had some effect on grosses. "Gone With the Wind" garnered $6,800 in its second week at the Omaha.

Estimated receipts for the week ending April 9-10:

"Vivacious Lady" (RKO)
"A Girl, a Guy and a Gob" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,100. (Average, $4,000)
"Gone With the Wind" (M-G-M)
OMAHA—(2,000) (40c-55c) 7 days, 2nd week. Gross: $6,800. (Average, $6,000)
"Tall, Dark and Handsome" (20th-Fox)
"Las Vegas Nights" (Para.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $6,700. (Average, $7,200)

Rubber Tickets

Marinette, Wis., April 13

THE Fox here and the Lloyd in Menominee, Mich., staged special Saturday morning shows yesterday, admission to which was an old automobile tire. The tires collected as a result of the shows are distributed among fishermen during the annual Smelt Carnival and many are used for huge bonfires to light up the scene of the fishing activities.

'Submarine,' Jones $12,400, Milwaukee

MILWAUKEE, April 13.—The Riverside, with a stage show headed by Allan Jones and Irene Hervey, and the film, "Phantom Submarine," drew $12,400 in a fair week. "Men of Boys Town" and "Las Vegas Nights" took $7,700 at Fox's Wisconsin.

Estimated receipts for the week ending April 9-10:

"The Lady From Cheyenne" (Univ.)
"Play Girl" (RKO)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,000. (Average, $4,500)
"Gone With the Wind" (M-G-M)
PALACE—(2,400) (40c-55c) 7 days, 5th week. Gross: $4,000. (Average, $4,000)
"Phantom Submarine" (Col.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Allan Jones and Irene Hervey. Gross: $12,400. (Average, $6,500)
"The Bad Man" (M-G-M)
"Rage in Heaven" (M-G-M)
STRAND—(1,400) (30c-40c-55c) 7 days. Gross: $1,800. (Average, $1,500)
"Men of Boys Town" (M-G-M)
"Las Vegas Nights" (Para.)
WISCONSIN—(3,200) (30c-40c-55c) 7 days. Gross: $7,100. (Average, $5,500)

Rochester House Reopens

ROCHESTER, April 13.—The Embassy here has reopened with Italian pictures featured. The house is operated by V. B. Faga.

Nation's Short Wave Units To Coordinate for Defense

(Continued from page 1)

the broadcasters in "the development of a more effective and comprehensive world coverage by radio." The principal plan at present is to arrange time schedules so that overlapping schedules will be kept to a minimum, it is understood. Stations involved are in Boston, Schenectady, New York, Cincinnati and San Francisco.

Use of directional antennas increases the total of 450,000 watts for the nine stations to more than 9,000,000 watts, it was stated. The stations operate on 33 frequencies, a greater number than frequencies currently used by either the British Empire or the powerful German plant at Zeesen.

Richardson has resigned as executive assistant to Joseph E. Davies, chairman of the President's Committee on War Relief Agencies, to accept the new post. He plans to establish headquarters in New York. Richardson was a correspondent for Associated Press for 16 years. When Davies became ambassador to the Soviet Union in 1938, Richardson was appointed his confidential secretary. Richardson continued with Davies when the latter was transferred to Belgium and later to Washington.

'Kane' May Open at Palace on April 29

(Continued from page 1)

policy with admissions 75 cents and $1.10. It will play the Palace on continuous performances during the day and on a reserved seat policy evenings.

The Los Angeles openings probably will follow the Chicago openings by about a week, or around May 12. Discussions among officials indicate that the RKO Hillstreet will get the continuous performance engagement and the Carthay Circle the two-a-day.

Contract to Humberstone

HOLLYWOOD, April 13.—H. Bruce Humberstone, director, has been given a five-year contract by 20th Century-Fox. He is now working on "Sun Valley."

Hattie McDaniel Signed

HOLLYWOOD, April 13.—Hattie McDaniel has been signed by Cecil B. DeMille for the role of a colored mammy in "Reap the Wild Wind," for Paramount release.

U. S. Rejects Schine Offer For Decree

(Continued from page 1)

their competitive position, or for ordinary business purposes. All such acquisitions must be reported to the Department of Justice.

The Government's position, it [illegible] ported, is that those provisions do not meet the main objectives of the suits against the regional circuits. The Government is represented as feeling that unqualified restrictions against further expansion of the regional circuits are essential, if not their actual decentralization, and that, in addition, extensive restrictions on their buying and operating methods, not even touched upon in the industry decree, are needed.

Indications are that none of the three circuits against whom Government anti-trust suits are pending is prepared to meet those additional demands of the Department as a condition for a consent decree settlement.

Settlement discussions between the Department and the Schine Circuit have not been closed, however, despite the fact that neither side holds out much hope for an agreement now.

Films Give $30,000 Weekly to Charities

(Continued from page 1)

to local charities not a part of the industry-wide effort.

The Motion Picture Permanent Charities Committee was organized several months ago in Hollywood as a clearing house for all charity work among the studios and includes representation by producers, guilds, labor unions and others.

Increase Racine Price

RACINE, Wis., April 13.—Fox's Uptown has changed its straight 10-cent admission policy on Saturdays and Sundays to 15 cents to 2 P. M. and 20 cents to closing. The house is now charging 10 cents to 7 P. M. on Fridays and Saturdays and 15 cents to 6 P. M. and 20 cents to closing on Tuesdays, Wednesdays and Thursdays.

Agent Sues Universal

Suit for $525,000 damages against Universal has been filed in N. Y. Supreme Court by William Lustig. The plaintiff, who claims to have a 10-year contract as agent for Gloria Jean at 10 per cent commission, charges Universal with persuading Gloria Jean's parents, Ferman H. and Elinor E. Schoonover, to breach the contract.

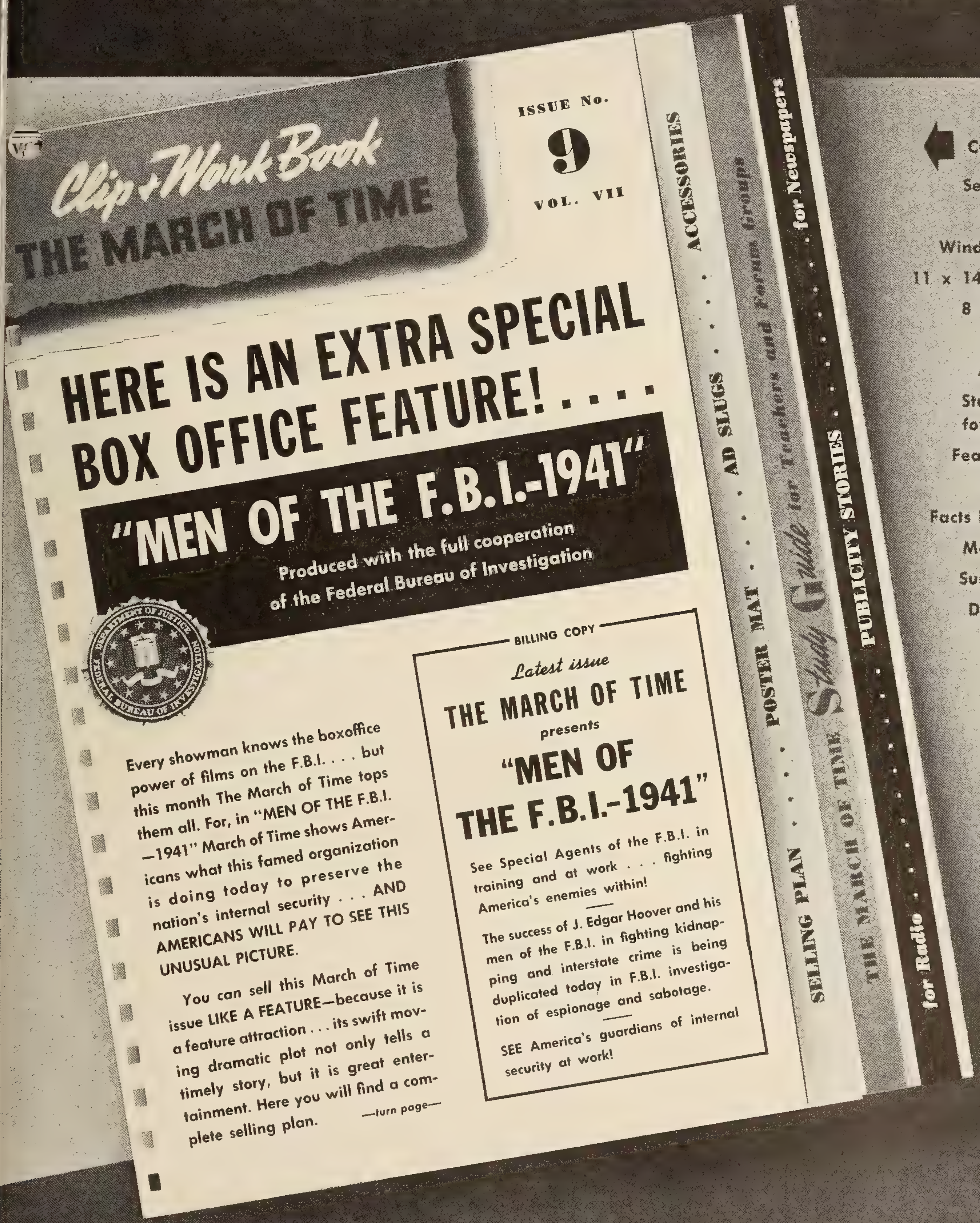
Seeks to Intervene

Application has been filed in New York Supreme Court by Rene B. Meyer, holder of 100 shares of common stock of Universal Pictures, to intervene as a plaintiff in the suit of Samuel I. Posen, director of Universal, and two others, against the company.

Projectionist Dies

KENOSHA, Wis., April 13.—Kenneth Hagberg, 35, projectionist at the Vogue Theatre here, died from injuries received when his automobile left the highway last week.

FOR MEMBERS ONLY!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HERE IS AN EXTRA SPECIAL BOX OFFICE FEATURE! . . . .

"MEN OF THE F.B.I.-1941"

Produced with the full cooperation of the Federal Bureau of Investigation

Every showman knows the boxoffice power of films on the F.B.I. . . . but this month The March of Time tops them all. For, in "MEN OF THE F.B.I.—1941" March of Time shows Americans what this famed organization is doing today to preserve the nation's internal security . . . AND AMERICANS WILL PAY TO SEE THIS UNUSUAL PICTURE.

You can sell this March of Time issue LIKE A FEATURE—because it is a feature attraction . . . its swift moving dramatic plot not only tells a timely story, but it is great entertainment. Here you will find a complete selling plan. —turn page—

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THE MARCH OF TIME

presents

"MEN OF THE F.B.I.-1941"

See Special Agents of the F.B.I. in training and at work . . . fighting America's enemies within!

The success of J. Edgar Hoover and his men of the F.B.I. in fighting kidnapping and interstate crime is being duplicated today in F.B.I. investigation of espionage and sabotage.

SEE America's guardians of internal security at work!

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RKO RADIO PICTURES

To the 8,000 exhibitor members of The March of Time family: you will receive your copy of this month's *Clip and Work Book* within the next few days. It will show you how to make extra profits on this most unusual issue in The March of Time series. Again this month, extra copies are available at all RKO Exchanges—get it now!

'Dictator' Is Los Angeles Hit, $37,500

LOS ANGELES, April 13.—"The Great Dictator" scored a strong $37,500 at two theatres, $17,500 at the Chinese and $20,000 at Loew's State. "That Hamilton Woman" took $7,400 in its third week at the 4 Star.

Estimated receipts for the week ending April 8:

"The Great Dictator" (U. A.)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $17,500. (Average, $12,500)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 10th week. Gross: $11,300. (Average, $17,000)
"That Hamilton Woman" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $7,400. (Average, $3,250)
"Nice Girl?" (Univ.)
"Melody for Three" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days, "Girl" 2nd week. Gross: $8,000. (Average, $6,500)
"The Great Dictator" (U. A.)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $20,000. (Average, $14,000)
"Nice Girl?" (Univ.)
"Melody for Three" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days, "Girl" 2nd week. Gross: $7,800. (Average, $7,000)
"Las Vegas Nights" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 9 days. Stage: Duke Ellington. (Gross: $17,500. (Average, $18,000)
"Meet John Doe" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days, 4th week. Gross: $10,300. (Average, $14,000)
"Meet John Doe" (W. B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days, 4th week. Gross: $11,500. (Average, $12,000)

Short Subject Reviews

"Riders of Death Valley"

(Universal)

Fast and furious excitement, the kind that thrills the Western fan, is generated at every opportunity in this bang-up serial. The participants include such stalwart veterans as Buck Jones, Charles Bickford, Leo Carrillo and Monte Blue. Dick Foran has the lead, and Lon Chaney, Jr., also is on hand.

The story has the title group serving justice in the usual rousing fashion. They cope with Bickford and his gang of outlaws, plus some gold mine swindlers. It all stems from the discovery of a big mine and the death of the discoverer. Judging from the early chapters viewed, the serial should serve well as a weekend matinee attraction. Each chapter runs about 20 minutes.

"San Francisco—Metropolis of the West"

(Columbia)

With Andre De La Varre at the camera, the audience is taken on an interesting excursion around San Francisco which offers unique sights. Running time, 10 mins.

"Golden Eggs"

(Disney-RKO)

Donald Duck embarks upon a henhouse raid after learning that egg prices have soared, but comes to grief, without profit, after encountering a zealous rooster. The reel is in color and up to the established Disney standard. Running time, 8 minutes.

"Men of the F.B.I.—1941"

(March of Time—RKO)

The work of the Federal Bureau of Investigation is depicted in this latest March of Time release. Pointed to illustrate F. B. I. activities in the field of counter espionage, the subject is timely and exceptionally interesting.

Details of the Bureau's extensive use of scientific methods of crime detection and the intensive training of its special agents for today's work in combating sabotage and foreign agents are dramtically presented. The subject makes use of an actual case of espionage in an American factory engaged in defense production, from commission of the crime to its frustration and the apprehension of the principals. The case is authentically reconstructed from F.B.I. records and contributes real dramatic value to the subject.

It is a worthy addition to any program and should be of general audience interest everywhere. Running time, 21 mins.

So You Think You Know Music"

(Columbia)

This quiz reel has exploitation value, as it is based on a radio program heard coast-to-coast and the participants on the screen include Hendrik Willem Van Loon, Colonel Stoopnagle, Jessica Dragonette and Sir Hubert Wilkins, all of whom are widely known. The queries are presented by Ted Cott while Leonard Liebling keeps score. The game seems to lack snap. Running time, 11 mins.

"Information Please"

(RKO-Pathe)

Boris Karloff is guest expert for this subject, which presumably explains the number of queries addressed to the identification of tombs, ghosts, murder victims and "men in white." The subject lacks some of the spontaneity with which Clifton Fadiman, Oscar Levant, John Kieran and Franklin P. Adams have invested earlier releases, but, as always, offers a good measure of interest and diversion for audiences. Running time, 10 minutes.

"A Gentleman's Gentleman"

(Disney-RKO)

Pluto, doubling as valet for Mickey Mouse, steps into trouble as soon as he steps outdoors to fetch a paper for Mickey's reading. His adventures include, first, the loss and retrieving of a dime, then the loss and retrieving of the paper. The subject is in color and, while not the most hilarious of the Mickey Mouse-Pluto reels, is a good addition to their number. Running time, 7 minutes.

"It Happened All Night"

(RKO)

Edgar Kennedy, as a small town constable, yearns for the big city where things happen. Making his rounds of the village he encounters, without knowing it, two escaped desperadoes, two other outlaws on their trail and the "G Men" who take them all into custody. He discovers the identity of his acquaintances on taking a second glance at their photos on a reward poster later. A fairly good comedy and up to the standard of other Edgar Kennedy releases. Running time, 10 minutes.

"Abroad at Home"

(Columbia)

This is an account of various spots in New York City which bear some resemblance to historical buildings. The short for example points out the similarity between St. Bartholomew's Church and a Venetian palace by depicting characters on the church wearing ancient costumes. The camera then focuses on Fifth Ave. The commentator is Harry Hershfield. It is something different in the way of travelogues "at home." Running time, 9 mins.

SEC Reports Para. Security Purchase By Trust Company

WASHINGTON, April 13.—Acquisition by the Manufacturers Trust Co., New York, of 392,800 3¼ per cent convertible debentures of Paramount Pictures was the outstanding transaction in film stocks reported by the Securities and Exchange Commis[illegible]n in its first semi-monthly report [illegible] February.

At the close of the month, it was shown, the trust company held 3,392,800 of the debentures and 5,710 shares of Paramount first preferred stock.

Keough Acquires 1,000 Shares

The Paramount report disclosed also that Austin C. Keough acquired 1,000 shares of common stock, giving him a total of 1,559 shares, together with 423 shares of second preferred.

The SEC also reported a series of buys during the month through which the Atlas Corp. acquired 17,631 shares of Radio Keith Orpheum common and 2,300 shares of preferred stock, giving it an interest at the close of the month of 762,127 shares of common held direct and 268,230 shares held through the American Co., 327,812 warrants for common and 38,981 shares of preferred.

The only other large transaction reported was the acquisition of 600 shares of Consolidated Film Industries part preferred stock by Walter P. Stevents, Scranton, Pa., giving him a total of 1,400 shares.

Davie Increases "U" Holdings

A report on Universal Corp. showed the acquisition of 200 common voting trust certificates by Preston Davie, director, giving him a total of 3,700 held direct and 26,500 held through the Standard Capital Co.

The SEC summary also showed the acquisition of 100 shares of General Theatres Equipment capital stock by R. B. Larue, giving him a total of 600 shares, and the purchase of another 73 shares of Loew's Boston Theatres common stock by Loew's, Inc., making a total of 117,920.

A report on Columbia Broadcasting System showed that Dorsey Richardson, director, became a stockholder through the acquisition of 10 shares of Class A common stock.

Plans California House

HAWTHORNE, Kan., April 13.—Mrs. B. L. Black, formerly of Lyons, Kan., reports that she and Ned Calvi will soon begin construction of a new house here. The house will cost about $75,000, and will seat 850.

A★M★P★A
cordially invites you to attend the next
big luncheon meeting of the Association on
THURSDAY—APRIL 17
(This time in the Grand Ballroom)
HOTEL EDISON—12:45 SHARP!
Guest Speaker:
NED E.
DEPINET
Vice-President in Charge of Distribution,
RKO Radio Pictures, Inc.

ROASTMASTER: Henderson M. Richey, M-G-M
ENTERTAINMENT: Yes, surprises.

TARIFF: $1.25, including tip, of which 25¢ goes to A. M. P. A. Relief Fund. Tables of 10 may be reserved by 'phoning Miss Gleitzman . . . Circle 6-5000.

Ascap-NBC Negotiations On Tomorrow

Ascap's radio negotiating committee, which met Friday with CBS officials at the network's offices, is scheduled to start negotiations tomorrow with NBC executives on Ascap's proposed new "per program" licensing agreement.

Meanwhile, negotiations with Mutual Broadcasting System are continuing almost daily, while no further meetings with the National Association of Broadcasters are scheduled. Another meeting with CBS will be held shortly.

It was explained that the conferences which have been held between Ascap and N. A. B. were only exploratory and designed to develop a basis on which individual negotiations with CBS and NBC could be started. The N. A. B. was not authorized to enter into actual negotiations with either network.

At Friday's meeting, Edward Klauber, CBS executive vice-president; M. R. Runyon, vice-president, and I. R. Lounsberry, manager of WGR, Buffalo, a CBS affiliate, represented the network. Ascap was represented by John G. Paine, general manager; E. C. Mills, chairman of the administrative committee, and Walter Fischer, member of the radio committee and the board of directors.

U. S. Radio Officials On Visit to Toronto

TORONTO, April 13.—More than 40 radio station and newspaper representatives, 21 of whom traveled from Buffalo, spent several days last week in the Toronto district as the guests of the Ontario Government through arrangements of the Ontario Travel and Publicity Bureau as a preliminary goodwill visit for the tourists' publicity campaign of the province over stations in the United States.

Ned Sparks, master of ceremonies for the series of weekly broadcasts from Toronto, assisted Premier M. F. Hepburn, A. S. Gordon and Douglas Oliver of the Government in entertaining the guests.

The visitors included: James Kane, WBBM, Chicago; L. W. Lindow, WFBM, Indianapolis; Henry B. Walker, WEOA, Evansville, Ind.; R. H. Swintz, WSBT, South Bend; W. B. Quarton, WMTC, Cedar Rapids, Ia.; L. M. Milbourne, WCAO, Baltimore; A. W. Martin, WMAS, Springfield, Mass.; Leo Fitzpatrick, WJR, Detroit; C. F. Phillips, WFBL, Syracuse; Elizabeth Gledhill, WHEC, Rochester; M. R. Hanna, WHCU, Ithaca; N. W. Cook, WIBX, Utica; I. R. Lounsberry, WGR, Buffalo; John F. Patt, WGAR, Cleveland; R. D. Thomas, WBNS, Columbus; J. M. Legate, WHIO, Dayton; C. A. Baker, WKBN, Youngstown, O.; George D. Coleman, WGBI, Scranton; Charles Denny, WERC, Erie, Pa.; Joseph C. Burwell, WMBS, Uniontown, Pa.; D. E. Inman, WNAX, Sioux City, S. D. The party included four CBS officials from New York, Lawrence W. Lowman, Ted Weber, Thomas D. Connolly and William H. Ensign.

Off the Antenna

LATIN AMERICANS were treated to the first Spanish language quiz program Friday as the first of a series which will be broadcast Fridays 8-9 P.M. over NBC short wave to Latin America. Called "Latins in America," the program will feature eight participants with Buck Canel and Ken Smith as the quizmasters. Contestants will receive RCA personal radios as prizes.

• • •

Purely Personal: *Richard H. Diggs, formerly story editor for the Hollywood radio department of Lennen & Mitchell, has been transferred to the agency's New York office. . . . Reed Browning, KGO-KPO, San Francisco announcer, became the father of a daughter last week. . . . Betty Jean Bates, KSO, Des Moines, vocalist, has joined the staff of WNAX, Yankton. . . . Helen Hayes, Gertrude Lawrence, Mayor LaGuardia, Judy Garland, the Yale Glee Club and the Youth Orchestra of the N. Y. City High School of Music & Art will be heard over Mutual Sunday, April 27,* 11:30-12 *noon on behalf of the British War Relief Society.*

• • •

KDTH, Dubuque, Ia., will join Mutual April 27 as that network's 178th affiliate. The station operates on 1,370 k.c. with 1,000 watts, full time. It is owned by the "Dubuque Telegraph-Herald."

• • •

A series of seven record and transcription programs has been arranged for W71NY, FM outlet of WOR, with classical and semi-classical music. These programs are in addition to "live" concerts which are taken off the Mutual line. The schedule includes "Symphonic Cycle," 8-9 A.M. daily; "Slumber Concert," 11-11:30 P.M., Monday through Saturday; "Luncheon Concert," 1-2 P.M., Monday through Saturday; "Dinner Concert," 7:30-8 P.M., daily; "Gilbert & Sullivan Series," Sundays, 8:45-10 P.M., with Lewis Dennison as commentator; "Opera Hour," Mondays, 8-10 P.M., and "Music of the Church," Sundays, 9:15-10:30 A.M.

Another exclusive FM feature being tried is a sports roundup by Al Helfer, Monday through Friday, 6:45-6:50 P.M.

• • •

Program News: *"Confidentially Yours," now sponsored over a Mutual network of* 21 *Eastern stations by Richfield Oil, will be made available to the rest of the network on a sustaining basis. It is heard Tuesdays and Thursdays* 7:30-7:45 *P.M. . . . Colgate-Palmolive-Peet has renewed "Bess Johnson," heard Monday through Friday* 10-10:15 *A.M. over* 60 *NBC-Red stations. The renewal, effective April 28, is for 22 weeks.*

• • •

NBC will dedicate more than 150 sustaining and commercial music programs to Inter-American and National Music Week, to be observed May 4-11. David Sarnoff, RCA president, has been national chairman of Music Week for the past seven years. In view of the inter-American phases of the week this year, NBC has arranged for an exchange of music programs with Latin American stations.

NBC Sues Jacobs and MBS On Rights to Garden Fights

NBC has decided to test the validity of Mutual's contract with 20th Century Sporting Club, of which Mike Jacobs is head, by which NBC-Blue lost the 1941-'42 rights to Madison Square Garden fights to Mutual recently.

[The decision to take the matter to court was revealed exclusively in *Motion Picture Daily* on March 24.]

NBC brought suit Friday in N. Y. Supreme Court against the 20th Century Sporting Club, Mutual and Gillette Safety Razor Co., as sponsor, the latter two being brought into the action to restrain them from enforcing their contract. The complaint sets forth that NBC entered into a contract in February, a month before the Mutual contract, whereby NBC was to have exclusive rights to broadcasts in English of all fights staged by the club in the Garden between Oct. 1, 1941, and June 1, 1942.

According to NBC officials, the February contract was oral, but an advance in the form of a check for $15,000 was given to the club. It is Jacobs' contention that the check represented a loan which had since been repaid, and that the contract with Mutual is valid.

Mutual on Friday made public a letter sent by its attorneys, Emanuel Dannett and Leon Lauterstein, on March 31 in which the circumstances of the deal were recited. The letter concluded: "Under the facts and the law applicable thereto, it is our opinion that there has not been any violation of any alleged rights" of NBC. Mutual, it was set forth, "became a party to that contract in good faith and without any knowledge on its part of any oral contract renewal." A denial by Jacobs of NBC's allegations was included in the letter.

Wins Canadian Prize Of Composer Society

OTTAWA, April 13.—William Keith Rogers, 19, of Charlottetown, Prince Edward Island, has been awarded the first prize in the fourth annual competition for Canadian composers under 22, inaugurated by the Canadian Performing Rights Society in 1938.

The prize, a $750 scholarship at the Toronto Conservatory of Music, was awarded for a piano composition. Judges were Hector Charlesworth, Professor Leo Smith, Godfrey Hewitt, H. T. Jamieson, president of the society, and Sir Ernest McMillan.

FCC Facing Showdown on Clear Channel

WASHINGTON, April 13.—FCC policies with respect to clear channels tonight were headed for a showdown precipitated Friday by NBC when it filed a petition for a stay of a recent order authorizing WHDH, Boston, to use the clear channel assigned to KOA, Denver, an NBC-operated station.

NBC's petition will have the support of at least two FCC members, Norman T. Case and T. A. M. Craven, both of whom dissented from the WHDH decision.

Meanwhile, it was made known that NBC is determined to force the issue and will follow its petition for a stay by an application for a rehearing of the original case. If a rehearing is refused, it was said, an appeal will be taken to the District of Columbia Federal Court.

NBC's position is being given the support of the clear channel group, which made an unsuccessful effort to intervene in the WHDH case, although it was allowed to file a brief. Broadcasting representatives in Washington said tonight that if the FCC adheres to the position it took permitting the Boston station to use the KOA clear channel, a long court fight may ensue.

In granting permission to WHDH to use the same frequency as that of KOA, the FCC took an action which was regarded by many broadcasters as sounding the death knell for future clear channel operation.

Clear channels are frequencies which are assigned to only one station during night operation on the North American Continent. Because such stations are permitted to use maximum power of 50,000 watts and because there can be no interference on the channel by any other station, clear channel stations can be heard over wide areas and are particularly effective in rural areas.

WLWO Is Granted Power Increase

WASHINGTON, April 13.—The Crosley Corp. international broadcasting station at Cincinnati, WLWO, which has been operating with 50,000 watts power, has been authorized by the Federal Communications Commission to increase its strength to 75,000 watts.

The commission has received applications for construction permits for two new FM stations and two regular broadcasting stations. The former was filed by McNary and Chambers, Washington, D. C., for a 47,500-kilocycle station to cover 2,610 square miles with a population of 762,485, and the Columbia Broadcasting Statem, St. Louis, for a 44,700-kilocycle station covering 10,950 square miles with a population of 1,708,332, and the latter by Birney Imes, seeking a 1,240-kilocycle, 250-watt station at Tupelo, Miss., and Southwest Broadcasters, Inc., asking a 1,230-kilocycle, 250-watt station at Las Vegas, N. M.

"POT O' GOLD" IS THE MONEY ATTRACTION AT THE END OF THIS RAINBOW!

17,400 admissions were paid at the Roxy Theatre, New York City, the day this photograph was taken and of course, the picture is HELD OVER for second big week! Only one other U. A. release in the past three years exceeded the terrific opening day's gross of "Pot O' Gold" at the Denver Theatre, Denver!

ROXY
JAMES STEWART
PAULETTE GODDARD
POT O' GOLD
HORACE HEIDT BAND

"A highly satisfactory grosser beyond question. It's a knock-out! James Roosevelt proves he knows audience values!"
—*Hollywood Reporter*

"The debut of James Roosevelt as a producer can very definitely be termed auspicious. The picture presents a wealth of exploitation material!"—*Film Daily*

"Can easily climb into the really important coin classification. Tailored for mass appeal, it should prove an impressively profitable exhibitor venture."—*Boxoffice*

"The hilariously funny 'Pot O' Gold' contains the stuff of which movie hits are made!"—*Cue Magazine*

"A sprightly musical, frankly fashioned for the box-office and sure of succeeding there."—*Newsweek*

"Fast-stepping, laugh-provoking, song-laden, highly entertaining film fare."—*Motion Picture Daily*

"Fast-moving comedy, abounding in tuneful numbers, speed and good gags. It aspires to entertain and this it does with great success."
—*New York World-Telegram*

"Lively, tuneful and amusing!"
—*New York Daily News*

"A merry farce with corking performances. All in all, it's a pot o' fun." —*New York Post*

James Roosevelt
presents
JAMES **STEWART** PAULETTE **GODDARD**
in
POT O'GOLD
A GEORGE MARSHALL PRODUCTION
HORACE **HEIDT** AND HIS MUSICAL KNIGHTS • CHARLES **WINNINGER**
Directed by George Marshall · Screenplay by Walter De Leon
Story by Monte Brice, Andrew Bennison and Harry Tugend

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Study Begun On Arbitration Improvement

A.A.A. Group May Offer Changes in Decree

The American Arbitration Association law committee yesterday began a continuing study of operations of the industry tribunals with a view to offering recommendations for improvement in the consent decree's arbitration provisions should the decree be reopened for changes at the end of its first year, Sept. 1, 1942. Wesley Sturges is chairman of the committee.

Meanwhile, the A. A. A. administrative committee, of which Paul

(*Continued on page 3*)

The New York area's eighth complaint was filed yesterday by Louis Martin, owner of the Majestic, Paterson, N. J., against the five consenting companies, charging that Brandt's State in Paterson is given discriminatory clearance. The State has seven days' clearance over the Majestic, which asks day-and-date bookings.

Fight on Minn. Bill Disclaimed by P.T.A.

MINNEAPOLIS, April 14.—The attack on the Minnesota anti-consent decree bill by a parent-teachers' group last week, was disclaimed by Sidney King on behalf of the Minneapolis central council, Parent-Teacher Associations, in a letter to state senators.

King claimed that last week's letter from Charles B. Johnson protesting against the bill did not speak for the council.

He pointed out that the letter was written on stationery of the "Council of Parent-Teacher Associations of Minneapolis Public Schools," which King said was not the name of the "bona-fide" council. The letter, he said, purports to speak for the council and legislative committee in condemning the bill.

"However, such is not the truth," King wrote. "Mr. Johnson is not speaking for the Central Council or its legislative committee because Dean M. Schweickhard, president of the Central Council and member of the legislative committee, said the matter

(*Continued on page 7*)

'Zanzibar', 'Hamilton Woman', 'Great Lie' Top B'way Grosses

The Easter weekend attracted good grosses for some Broadway theatres and for others not so good. With the weather moderately warm, Fifth Ave. on Sunday had one of its biggest throngs of Easter paraders, and while Broadway received a large overflow of sightseers, not all of them patronized the shows, according to reports.

Jitterbugs are showing up at 6 A.M. for the Paramount Theatre show which offers "Zanzibar," Bob Hope-Bing Crosby-Dorothy Lamour film, and Benny Goodman's band on the stage. The Goodman personality is once again evidencing its strength at the box-office and the theatre is zooming along, officials state, for a high $65,000 gross. On Saturday and Sunday the gross went above $26,000, it is reported.

Topping Broadway grosses with "Zanzibar" are "That Hamilton Woman," in its second week at the Radio City Music Hall, and "The

(*Continued on page 7*)

To Reelect 20th-Fox Directorate Today

Directors of 20th Century-Fox are scheduled to be reelected at the annual meeting of the company's stockholders at the home office today. Directors up for reelection are: H. Donald Campbell, John R. Dillon, Wilfred J. Eadie, Daniel O. Hastings, Felix Jenkins, Sidney R. Kent, W. C. Michel, William Philips, Hermann Place, Seton Porter, Sydney Towell and Joseph M. Schenck.

Allied Convention In Phila. Sept. 16

Philadelphia, April 14.—The national convention of Allied States Association will be held here Sept. 16 to 18, at the Benjamin Franklin Hotel, it was announced here today by Allied officials. The program will be formulated later.

Trade Against Joining Pact On Copyright

Serious thought to adherence to the Berne Convention at this time is "too fantastic," Edwin P. Kilroe, copyright advisor to 20th Century-Fox and head of the M.P.P.D.A. copyright committee, will tell a sub-committee of the Senate Foreign Relations Committee in Washington today.

Kilroe will stress the industry's repeated opposition to the Convention and will point out that joining now is impractical because England "can give little time and attention to the affairs of the Berne Convention and the proper administration of its tenets. With Japan and Hitler in control of the Convention, American authors cannot hope for any protection in countries controlled by Hitler and his super scoundrels."

Unless domestic copyright laws are changed before joining, the Berne

(*Continued on page 7*)

Bercovici Sues Chaplin for $5,000,000 Over 'Dictator'

Morgan Off on Tour Of Para. Branches

Oscar A. Morgan, general short subjects sales manager for Paramount, leaves today for a three-week tour of the company's branches and a visit to the studio. He will confer with sales personnel and the 10 special short subjects sales representatives on the 1941-'42 shorts lineup.

Morgan will confer on the Coast with studio officials and George Pal, Herbert Moulton and Fairbanks & Carlisle, shorts producers.

Paramount will devote more attention to shorts in the new season, as will other companies.

Konrad Bercovici, novelist and short story writer, yesterday filed suit in N. Y. Supreme Court against Charlie Chaplin and United Artists for a maximum of $5,000,000 damages, or one-half of what he estimates "The Great Dictator" will gross, claiming that the picture was based on an idea he had submitted to Chaplin.

The suit combines charges of breach of contract and plagiarism. Under a contract Bercovici claims he had with Chaplin, he seeks $200,000 damages for failure to give screen credit and 15 per cent of an estimated $10,000,000 gross of the film, or $1,500,000. Bercovici alternately demands $500,-

(*Continued on page 7*)

Coast Unions May Demand 30-Hour Week

Pact Talks Await Wage-Hour Classification

HOLLYWOOD, April 14.—The international unions which are members of the studio basic agreement may enter a demand for a 30-hour week instead of the present 36-hour week during the negotiation of a new five-year basic agreement here within the next few weeks, it was indicated today in official quarters.

Pat Casey, producers' labor representative, who arrived in New York yesterday, said that a date for the negotiating meeting cannot be set until the decisions of the Wages and Hour Division on the classification and reclassification of studio groups have been handed down.

The decisions are expected within the next week or 10 days, following the recent hearings conducted by the division on the Coast. Since they will have a direct bearing on the provisions of the basic agreement, Casey said, the negotiating meeting will have to wait upon the decisions.

Casey said that national defense activities, including the construction and enlargement of military camps, are attracting skilled workers, particularly carpenters and electricians, and that this drain on labor already is

(*Continued on page 7*)

Goldenson Leaves On Tour of Circuits

Leonard Goldenson, Paramount theatre head, left New York last night on an extended tour during which he will visit many of the company's theatre associates in the Midwest and Far West. Goldenson will be away about three weeks, stopping in Chicago, Minneapolis, Salt Lake City, San Francisco, Los Angeles, Phoenix, Dallas and New Orleans. He returned to New York last weekend from a brief business trip to Florida.

In Today's Issue

Reviews of "Model Wife" and "The Invisible Ghost," the latter from Hollywood, appear on Page 3. Hollywood production news, Page 3. Ascap return to air likely within a month, Page 6.

Patent Bill Has No Effect on Industry

WASHINGTON, April 14.—Pending legislation to pool patent and copyright payments payable to countries with "frozen" currency in order to protect American holders of patents and copyrights, will have little effect on the film industry, it is understood here.

No industry representative is expected at the House Patents Committee hearing tomorrow, because the question of royalties on copyrights is not involved.

The legislation provides that in the case of countries refusing foreign exchange for payment of the use of the copyrights, patents, etc., any funds due them for the use by Americans of patents and copyrights shall be paid into special accounts set up by the Treasury. American copyright and patent owners having claims accrued since Jan. 1, 1934, against nationals of such countries would then file claims and, if such claims were proved, would be paid to the extent of the fund to the credit of the particular country.

'U' Cameraman Wins Two Exhibit Medals

HOLLYWOOD, April 14.—Ray Jones of Universal tonight won two gold medals for first places in an exhibition of still photographs sponsored by the Academy of Motion Picture Arts and Sciences. Fifty-nine studio still cameramen had 636 entries in the competition. The exhibit will be sent on a tour of principal cities.

Elmer Fryer of Warners received two certificates of merit for second place. Other first place winners were Emmett Schoenbaum and Jack Woods, both of 20th Century-Fox; William Walling, Universal; Errit Sibbald and Ed Cronenweth, both of M-G-M, and Charles Welbourne, Warners.

This was the first time the Academy had sponsored such a competition. It plans to make it an annual event.

Robbins Wins Point; Casanave to Trial

Supreme Court Justice Isidor Wasservogel in a decision handed down on Saturday denied a motion for dismissal of the complaint of Herman Robbins against Charles Casanave and ruled that the defendant, Casanave, should file an answer to the complaint and go to trial. The suit charges that Casanave fraudulently obtained $45,000 while an officer and director of National Screen Accessories.

Party at Club for Greek War Relief

A party for the benefit of the Greek War Relief Association was held yesterday at the Stork Club, with George Skouras in charge of arrangements. A fashion show was given, with models handling the ticket sale.

Universal Salesman Dies

CINCINNATI, April 14.—Nate Le Vene, 53, Universal salesman for many years, died in Christ Hospital Saturday following an operation for a stomach disorder. He was a member of the Cincinnati Variety Club and the Cincinnati Cinema Club. His widow survives.

Personal Mention

WOLFE COHEN, Warners district manager in Canada, is here from Toronto conferring with Roy Haines, Eastern and Canadian sales manager.

◆

Bernard B. Kreisler, Universal short subject manager, leaves today for a tour of Southern exchanges, following his return from the Midwest.

◆

Alfred N. Sack, head of Sack Amusement Enterprises, Dallas, and Mildred Roddy of Los Angeles have become engaged. The wedding will take place May 15.

◆

James Schwalm, assistant manager of the Northio Rialto, Hamilton, O., is in Mercy Hospital there undergoing treatment for a throat infection.

◆

Mr. and Mrs. Barney Calechman of the Howard Theatre, New Haven, are spending a week in Atlantic City.

◆

George Campbell, Paramount exchange booker in Des Moines, has enlisted. Charles Elder has replaced him.

◆

W. R. Seale, manager of the Orpheum, Spokane, is the father of a son, born last week.

◆

William U. Bethell, secretary of the M. P. Associates of Philadelphia, was married last week to Mrs. Esther Holtzman, owner of the Collonade, Millersburg, Pa.

◆

David M. Cooper, Philadelphia Warner salesman, has been drafted, and has been succeeded by Thomas N. Noble.

◆

Nancy Fraser of Paramount's Philadelphia exchange was married on Saturday.

CHARLES F. KURTZMAN, Northeastern division manager for Loew's Theatres, with headquarters in Boston, is in town for a few days.

◆

William F. Rodgers, Gradwell L. Sears, Si Fabian, Carl Leserman, Arthur Kelly, Steve Pallos, Arnold Pressburger, Edward Schnitzer, Sam Shain and Jake Wilk at Dinty Moore's for luncheon yesterday.

◆

Ted O'Shea, Owen Davis, Ralph Austrian, Charles E. McCarthy, Otto Harbach and Oscar Doob at Nick's Hunting Room in the Astor for lunch yesterday.

◆

Herman Wobber, William Sussman, Adolph Zukor, Barney Balaban, Austin Keough, Robert Weitman, Armando, John Buchanan, Al Wilkie, Lee Shubert and Benny Goodman lunching at Sardi's yesterday.

◆

Dave O'Malley, Leon Leventhal, Arthur Lee, Henry Jaffe, Vincent Trotta, Maurice Bergman, Lou Pollock, Betty Goldsmith, Joe E. Lewis and Ben Washer having lunch yesterday at the Tavern.

◆

Joseph and Martin Moskowitz, J. J. Milstein, Jack Cohn and Jack Goetz at Lindy's (51st St.) yesterday for lunch.

◆

Marvin Schenck, Maurice Freeman, Lou Weinberg, Rube Jackter, Seymour Poe and William Moses lunching yesterday at Lindy's (next to the Rivoli).

◆

Don George, manager of the Princess Theatre in Honolulu, has been named labor and industrial relations commissioner for Hawaii.

Settle Ellis Action Against 20th-Fox

PHILADELPHIA, April 14.—An out-of-court settlement of the breach of contract suit of Abe Ellis, operator of the Towers, Camden, N. J., against 20th Century-Fox was reached here over the weekend. Terms of the settlement were not made known but it was learned that the Towers will receive some of the distributor's product.

Ellis' action charged the company with failure to abide by a verbal agreement to deliver product to the Towers. The case had been scheduled for hearing in U. S. District court here today.

Monogram Sets Deal For British Release

Pathe Pictures, Ltd., has closed a five-year deal for distribution in Great Britain of Monogram product, William Gell, managing director of Pathe, reported yesterday. The deal calls for distribution of 24 Monogram pictures annually.

Gell, who returned over the weekend from the Monogram sales convention in Los Angeles, will remain here several weeks before returning to his headquarters in London.

Cagney Coming East

James Cagney is en route from the Coast to Martha's Vineyard, Massachusetts, for a vacation.

Hawaii Circuit Men Here on New Deals

Esmond Parker and Fred Williams, representing Consolidated Amusement Co. of Hawaii, are in New York on 1941-'42 product deals. They have been negotiating with Paramount and are at present negotiating with Warners. A deal has already been set with RKO for four years, including features and shorts. The company operates 26 theatres of its own and services product to 87 additional houses.

James Roosevelt Married

BEVERLY HILLS, Calif., April 14.—James Roosevelt and Romelle Theresa Schneider were married here today by Municipal Judge Arthur S. Guerin at the home of George P. Converse and Mrs. Converse, the former Anita Stewart, film actress. Mrs. Franklin D. Roosevelt and Mr. and Mrs. John Boettiger of Seattle attended the ceremony.

Town Bans Children

GLOUCESTER, N. J., April 14.—Although the school children are enjoying their Easter vacation this week, all children under 18 will be barred from the local theatres on order of Allen Hubbs, president of the local Board of Health. The board's order was due to the fact that 20 new cases of scarlet fever, 92 of measles and 26 mumps have been reported.

Parenthood

Athens, O., April 14.

THE following sign recently appeared on the marquee of a local theatre:

"Adam Had Four Sons"
and
Bob Hope

Studio Delegation Leaves Mexico City

MEXICO CITY, April 14.—Hollywood's delegation of 63 stars, executives and press representatives, which was acclaimed by an estimated almost 250,000 Mexicans at this city's Motion Picture Festival over the weekend, departed by plane today.

John Hay Whitney, director of the M. P. Division of the U. S. Government's office of coordination of commercial and cultural relations between the American Republics, headed the delegation. Among those in the party were: Frank Capra, Norma Shearer, Mickey Rooney. Stan Laurel, Oliver Hardy, Joe E. Brown, Kay Francis, Frank Morgan, Sabu, Patricia Morison, Johnny Weissmuller Lucille Ball, Desi Arnaz. Mischa Auer, Susan Hayward, William Holden, Brenda Marshall, Brenda Joyce and Wallace Beery.

The group was given an official reception by the Mayor at City Hall following their arrival on Saturday and attended a reception at the American Embassy given by Ambassador Josephus Daniels. Personal appearances followed at four theatres, where screenings of selected films took place. The films shown included "The Letter," "Chad Hanna," "The Invisible Woman," "This Thing Called Love," "Mr. and Mrs. Smith," "Victory" and "Pot o' Gold."

A grand ball at the Palacio de Bellas Artes ended the day. Sunday was occupied with a lunch and fiesta at Rancho del Charro, a barbecue at Rancho Blanco and personal appearances at other theatres in the evening.

This morning the delegation breakfasted at the palace of President Avila Camacho and were guests of the Secretary for Foreign Affairs at luncheon.

Vaudeville Is Dropped

SPOKANE, WASH., April 14.—The Orpheum, an Evergreen circuit house, is back on a straight film policy after trying out vaudeville for six weeks.

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Study Begun On Arbitration Improvement

(*Continued from page* 1)

Felix Warburg is chairman, also held its first meeting yesterday on the functioning of the industry boards. The committee received a report on the [illegible]s' operations to date. No statement was issued following the meeting.

The law committee of the A. A. A. will study the functioning of the machinery to determine whether arbitration as set up in the industry is capable of meeting the industry's requirements and the objectives of the decree.

[Plans of the A. A. A. law committee to conduct this study were reported in *Motion Picture Daily* on April 8.]

The committee will go into the decisions of the arbitrators in the light of the relief sought in the individual complaints, the special legal questions which arise at arbitration hearings, and the scope and power of the arbitrators as contrasted with the varied nature of exhibitors' complaints.

Meantime, the adjourned hearing of the clearance complaint of the Squire, Great Neck, L. I., against the five consenting companies will be resumed at the New York board today.

In Minneapolis, hearing on the complaint of the Gaiety Theatre against 20th Century-Fox is scheduled to start today. It will be the Minneapolis tribunal's first hearing.

Boston Complaint Changed to Clearance

BOSTON, April 14.—Agreement was reached here today to arbitrate the Garbose Bros. complaint against the five consenting companies as a clearance case under Section 8 of the consent decree rather than as a "some run" case. The complaint will be revised accordingly, and the hearing will be resumed April 28.

Filed as a clearance complaint, attorneys for the distributors contended that it was, in reality, a demand for a specific run, when the hearing opened April 7. They pointed out that demands for specific runs cannot be arbitrated until after next Sept. 1.

Legion Approves Nine New Pictures

The National Legion of Decency this week approved nine new pictures, six for general patronage and three for adults. The new films and their classification follow.

Class A-1, Unobjectionable for Adults—"Billy the Kid's Fighting Pals," "Border Vigilantes," "The Devil and Miss Jones," "North from Lone Star," "Power Dive," "Two-Gun Sheriff." Class A-2, Unobjectionable for Adults—"Knockout," "Mr. District Attorney," "Shot In the Dark."

Thornton Leaves Small

HOLLYWOOD, April 14.—C. W. Thornton, for the past two years treasurer and business manager of Edward Small Productions, has resigned, effective with the appointment of a successor.

Feature Reviews

"Model Wife"

(*Universal*)

HERE is an item of lightweight screen fare, which nevertheless is entertaining and amusing, and should be found so by most audiences.

It is a boy and girl and tough boss problem, the boy and girl—married—played by Dick Powell and Joan Blondell to good satisfaction, and the tough boss well handled by Lucile Watson. Charles Ruggles, as the meek and mild 18-year slave of Miss Watson as her office manager, is good, as are Lee Bowman as the boss's son and Ruth Donnelly as Ruggles' wife.

Leigh Jason, who was producer-director, maintained a snappy pace and a good percentage of laughs which serve to give the film a lift on the plus side of the selling ledger.

Miss Blondell, secretary, and Powell, publicity man, pretend they are not married to protect their jobs, and the situation begins to get on Powell's nerves when Bowman is put to work by his mother, and takes a decided fancy to Miss Blondell, assigned as his secretary. There is reason to believe that the Powell-Blondell "baby fund," savings for a blessed event, is in danger, as well as their marital state, when Miss Watson suddenly sees the light and saves the day.

Running time, 78 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

"The Invisible Ghost"

(*Monogram-Banner Pictures*)

Hollywood, April 14

SAM KATZMAN'S Banner Pictures Corporation, releasing through Monogram, comes through with a gory horror story which has the novel twist of letting the audience know who the criminal is and not letting the characters and the criminal himself know who he is. "The Invisible Ghost" stars that exponent of blood curdling, Bela Lugosi, in as horrible a role as he has played.

In addition to several murders and attempted murders being thrown on the screen, the execution of an innocent man, convicted of one of the stranglings, is depicted. Lugosi is supported by Polly Ann Young, John McGuire, Clarence Muse, Terry Walker, Betty Compson, Ernie Adams, George Pembroke, Ottola Nesmith, Fred Kelsey, Jack Mulhall.

Joseph H. Lewis directed the film, which deals with the inciting to murder, via spells of temporary insanity of which even he is not aware, of a wealthy man whose wife several years before had run away with another man. The wife, her lover killed in a crash nearby, is a victim of amnesia and is concealed by a faithful servant in a barn cellar on the estate. Her nocturnal appearances to wander about the estate are regarded by him as hallucinations yet provoke him to murderous activities as a result of his insane rage at her unfaithfulness.

Running time, 65 minutes. "A."* VANCE KING

"A" denotes adult classification.

Schenck Dismissal Motion Is Denied

Federal Judge Grover M. Moscowitz yesterday denied another formal motion of Harold H. Corbin, defense attorney, to dismiss the indictment against Joseph M. Schenck and Joseph M. Moskowitz.

U. S. Attorney Mathias F. Correa yesterday called one witness in rebuttal, and announced the Government had completed its case. Corbin will sum up today. The Government witness was Marie Conlogue, Treasury Department employe, who testified the employment of Harry Kadis, Treasury agent, had ceased on May 10, 1939. Kadis was named by the defense as having approved the method of computation used by Moskowitz in estimating business expenses.

Defense Pact to Yorke

Emerson Yorke yesterday was awarded a contract to produce five single-reel technical subjects by the Procurement Division of the Treasury Department. The series will deal with the training of skilled craftsmen in national defense industries.

Bank Forecloses On Phila. Erlanger

PHILADELPHIA, April 14.—Through judgment taken in local Common Pleas Court, the Pennsylvania Co. has foreclosed a $2,210,800 mortgage on the Erlanger Theatre. The bank is trustee of a $1,595,000 bond issue, payment on which has been in default since 1932. The judgment was obtained against the Forrest Theatre Corp., represented as the owner; and James M. Brenan, former treasurer of the corporation.

The theatre corporation is no longer in existence and Brenan is an employee now of Warner Brothers Pictures, Inc., in New York. The Erlanger, long-dark legitimate house, was leased several months ago to William Goldman, independent circuit head, for operation as a first run film house next Fall.

Union Party May 22

PHILADELPHIA, April 14.—Film Exchange Employees' Union Local B-7, has set May 22 as the date for the fourth annual dinner dance to be held at the Stephen Girard Hotel here.

13 New Films Finished; 47 Now in Work

HOLLYWOOD, April 14.—Production remained at approximately the same high level this week as last, with 13 pictures completed, 11 started and 47 shooting. Being prepared were 37, with 69 editing.

Paramount led the list with seven films before the cameras, closely followed by RKO and Warners, with six each.

The tally by studio:

Columbia

In Work: "Betty Co-ed," "Obituary," "Prisoner on Devil's Isle," "One Way Street," "Blondie in Society."

M-G-M

Finished: "Man from the City."

In Work: "Blossoms in the Dust," "Dr. Jekyll and Mr. Hyde," "The Uniform," "Lady Be Good," Untitled Marx Brothers.

Started: "Get Away."

Monogram

Finished: "King of the Zombies," "Redhead," "Pioneers."

Producers Releasing

Finished: "Lone Rider Gallops to Glory."

Paramount

Finished: "Night of January 16th."

In Work: "The Great Man's Lady," "Hold Back the Dawn," "Buy Me That Town," "Aloma of the South Seas," "The Parson of Panamint," "World Premiere," "Nothing but the Truth."

Started: "Henry for President."

RKO

Finished: "Sunny."

In Work: "Before the Fact," "Tom, Dick and Harry," "My Life with Caroline," "The Devil and Daniel Webster," "Parachute Battalion," "Scattergood Pulls the Strings."

Started: "Cyclone On Horseback," "Interlude," "The Father Takes a Wife."

Republic

Finished: "Sheriff of Tombstone," "The Gay Vagabond."

In Work: "Thunder Over the Ozarks."

Started: "Angels with Broken Wings," "The Desert Bandit."

20th Century-Fox

In Work: "Miami," "Man Hunt," "Sun Valley," "The Man with the Shovel."

Universal

Finished: "Tight Shoes."

In Work: "Too Many Blondes," "Unfinished Business."

Started: "Beyond the Law."

Warners

Finished: Underground."

In Work: "Sergeant York," "The Gentle People," "Dive Bomber," "Man Power," "Bad Men of Missouri," "Flight Patrol."

Plans Preakness Ball

BALTIMORE, April 14.—The local Variety Club plans a Preakness Ball on May 10, the evening of the day the famous Preakness Race is run at Pimlico. In previous years, the ball had been conducted by a Civic Committee.

Does she think of me—when the men-buyers are thinking of her!

I wonder who she's modeling for now?

Why does she enjoy her work so much?

I've got a model wife—and she's always on pedestals!

Joan BLONDELL *and* **Dick POWELL** in

MODEL WIFE

with

Charlie Ruggles · Lee Bowman · Lucile Watson
Ruth Donnelly · Billy Gilbert · John Qualen

Screen Play, Charles Kaufman, Horace Jackson, Grant Garrett · Original Story, Leigh Jason
Produced and Directed by LEIGH JASON

NATIONAL RELEASE APRIL 18th

PICTURE OF A MAN BLOWING UP JUST BECAUSE HIS WIFE IS A MODEL!

He misunderstood her! And 30 million other misunderstood women will rush to see why!

A UNIVERSAL PICTURE

Ascap Return To Air Likely Within Month

Ascap music can be returned to the air in 15 to 30 days if "stalling" tactics are not encountered in the course of the negotiations with networks now under way, an official of the music society stated yesterday.

He emphasized that there has been no indication up to this point that networks' representatives with whom Ascap has met have or will prolong the negotiations needlessly. The meetings with Mutual and Columbia Broadcasting System have been "friendly and conducted with evidences of the utmost good faith on the part of all concerned," he said.

So far, however, there have been no actual negotiations on licensing terms. The Ascap formula has been handed to the network representatives, discussed with and explained to them, and they are now studying it. The same procedure will be followed by National Broadcasting Co., with which Ascap officials are scheduled to meet today.

When the networks have completed their study of the formula they will resume meetings with Ascap, at which time, undoubtedly, the actual bargaining over terms will begin, it was said.

Francisco Directing Communication Work

WASHINGTON, April 14.—Don Francisco, since last October in charge of radio activities of the Office for Coordination of Commercial and Cultural Relations, has been appointed director of the Communications Division by Nelson A. Rockefeller, Coordinator, to succeed James W. Young, who has resigned to enter private business.

Francisco recently returned from a three-month tour of Central and South America. In severing his connection with the office, Young will not drop out of the picture entirely but will continue to serve as a member of the advisory committee on policy and special consultant to the coordinator.

Hayes Leaves WOR For Post with Army

John S. Hayes, WOR assistant director of program operations, has been called to active service April 21 as coordinator of radio activities in the public relations section of the office of the Quartermaster General of the Army. Carlton Warren, night studio manager, will take over Hayes' duties and Frank Knight will succeed Warren. Ira Avery, WRVA, Richmond, Va., assistant program manager, will join WOR as assistant production man and announcer.

Drops Suit Over Song

Robert Brooker Wyatt yesterday discontinued his song plagiarism suit in the U. S. District Court against 20th Century-Fox, Leo Feist, Inc., Mack Gordon and Harry Revel. He had charged plagiarism of the song, "In A Bassinet," in the Gordon-Revel song, "This May Be the Night," from the picture, "My Lucky Star."

Off the Antenna

KGO, San Francisco, has received General Electric's award for 1940 for operating its transmitter with the least time lost through technical failures during the year. KGO was on the air 6,406 hours and 53 minutes during 1940, for a total of 384,413 minutes, and in that time lost only 31 seconds because of technical failures. WGY, Schenectady, was in second place with 59 seconds lost. In San Francisco yesterday, A. E. Evans, engineer in charge of the KGO transmitter, received a plaque from Raymond M. Alvord, G. E. vice-president in charge of the Pacific district.

• • •

Purely Personal: *Alice Bradford, budget director in the NBC press department, has been named assistant to Bill Miller, head of the magazine section. Sally Warren will take Miss Bradford's former post while Betty Shea will replace Miss Warren . . . Stuart Buchanan, formerly WOV program director, and program supervisor for KNX, Los Angeles, has joined the CBS program service department. Buchanan was with the Walt Disney studio for five years . . . Gordon Lloyd, formerly with WMCA, has returned to WNEW as salesman . . . Eleanor M. LaZarre has joined WTHT, Hartford, Conn. She is the city's first woman full-time announcer . . . Ted Nicholas has joined WIRE, Indianapolis, as local sales manager . . . Theodore Corday, legitimate stage director, has joined the NBC production staff . . . Dr. Franklin Dunham, NBC religious program director, will speak on "Religious Radio" at the annual dinner of the National Council of Catholic Men at the Hotel Willard, Washington, Saturday . . . Jack Costello, NBC announcer, last week became the father of a second son, Timothy Kerry.*

• • •

First sponsor of a regular program over W71NY, WOR's FM outlet, is I. J. Fox, Inc., which will sponsor "Unbroken Melodies," 8:30-9 P.M. Tuesday and Friday. Longines-Wittnauer Watch Co. was the first sponsor for the station, but took only time signals.

• • •

The CBS sales promotion department, which enlivened the late Spring and early Summer of 1940 with its campaign on "July is bigger than Texas," yesterday embarked on another sprightly series for 1941, "August is bigger than Illinois." The latest piece carries much the same message about the possibilities of Summer marketing, is liberally illustrated, and has a map of Illinois on its cover.

• • •

Program News: *Pure Oil Co. has renewed H. V. Kaltenborn over* 38 *NBC-Red stations, three times weekly, for* 52 *weeks, effective May* 13 . . . *American Safety Razor Co. has increased the hookup for Wythe Williams to* 100 *stations over Mutual . . . George Fisher's "Hollywood Whispers" has been renewed by Mar-O-Oil over Mutual and the network increased to* 37 *stations . . . Williamson Candy Co., sponsoring "Famous Jury Trials" on* 15 *NBC-Blue stations, will increase the hookup to* 66 *April* 28 *and will change the time to* 10-10:30 *P.M. Mondays . . . WIRE, Indianapolis, has signed with Associated Press, as well as United Press, effective May* 1 . . . *Cass Adams, of the* Herald Tribune *sports staff has started a sports resume over WNEW* 7:50-8 *P.M. Monday through Friday and* 7:45-8 *P.M. Saturday . . . Bertram Lebhar, Jr., WHN sales manager who broadcasts as Bert Lee, has added another show to his duties. To be called "Bert Lee's Sports Final," it will be aired* 10:45-11 *P.M. nightly, just before the "Newsreel Theatre" is broadcast over the station. Nedick's will sponsor.*

Station's Control Is Shifted in Wisconsin

MADISON, WIS., April 14.—Gov. Julius P. Heil has signed a bill which transfers control of WHA state-owned educational radio station, from the State Department of Agriculture to the Board of Regents of the University of Wisconsin. The law, which becomes effective July 1, also appropriates $47,640 annually for operation of the station, and the sum of $15,750 annually to station WLBL of Stevens Point.

Replaces Phila. Trainee

PHILADELPHIA, April 14.—Harry Appell has been elected sergeant-at-arms of the Film Exchange Employes Union here to succeed Al Holmstock, who has entered the Army.

M-G-M Re-signs Beery

HOLLYWOOD, April 14. — Wallace Beery today received a new M-G-M contract, marking his 31st year in pictures, according to the studio, and his 10th year with M-G-M.

Local 802 Cost for Relief at $580,450

Local 802 of the American Federation of Musicians here spent $580,450 for the relief of needy members during 1940, according to the annual report of Harry A. Suber, treasurer. The sum was $73,383 larger than the relief expenditure the year before. Two thousand families were aided during the year, Suber said. The local had a deficit for the first time in six years, amounting to $93,008.

Union Names Delegates

PITTSBURGH, April 14.—Louis Indo, William Thompson and George Engslter have been named delegates from the local operators union to the forthcoming convention of the Pennsylvania Federation of Labor, an AFL affiliate.

Gabin in 'Moon Tide'

HOLLYWOOD, April 14.—Jean Gabin, French player, will appear in "Moon Tide" as his first film for 20th Century-Fox, which Mark Hellinger will direct.

Hughes Seeks Two FM Station Permits

WASHINGTON, April 14.—Construction permits for three new FM stations have been asked of the Federal Communications Commission, two of them by Hughes Productions.

Hughes' requests were for two stations on 44,500 kilocycles, one in Los Angeles to cover 7,315 square miles with a population of 2,575,558, and the other in San Mateo County, Cal., to cover 10,790 square miles with a population of 1,893,802.

The third application was filed by Indianapolis Broadcasting, Inc., Indianapolis, for a 45,300-kilocycle station to cover 13,640 square miles with a population of 1,017,471.

April 18 was fixed as the date for hearing on the application of J. Leslie Doss for a new 1,370-kilocycle, 250-watt station at Bessemer, Ala.

NAB District Elects Frank King Director

JACKSONVILLE, Fla., April 14.—Southeastern broadcasters have elected Frank King, of WMBR, Jacksonville, and WFOY, St. Augustine, as district director, to succeed Walter Tison, of WFLA, Tampa. King, who was elected for a two-year term, will take office at the National Association of Broadcasters convention in St. Louis, May 12.

The part of radio in national defense was outlined to radio executives of this district, which includes Georgia, Florida and Alabama, by C. E. Arney, executive assistant to the NAB president. Arney declared that the entire federal system governing radio would be revised.

Later, in an address to the affiliated district organization of station sales managers, Arney asserted that some solution must be found to excessive commercial announcements or the industry would suffer. "Nothing irritates a listener more than to hear a long drawn out and badly worded commercial," he said.

Taplinger on U. S. Work

HOLLYWOOD, April 14.—Robert Taplinger, Warner studio publicity head, has been appointed chairman of a new group, known as the Publicity and Trailer Division of the Motion Picture Committee Cooperating for National Defense, for the promotion of the sale of defense savings bonds and stamps. Howard Dietz, in charge of the promotional work, made the appointment.

CBS Suit Settled

Settlement of the injunction suit of Phil Stong, author, against CBS and the William Wrigley Co., was revealed yesterday in the U. S. District Court when Federal Judge Murray Hulbert dismissed the complaint on stipulation. Plaintiff had charged plagiarism of his book, "Career," in the defendants' radio program, "Gateway to Hollywood."

Cooper Shifts Huffman

LINCOLN, Neb., April 14.—R. W. Huffman, city manager of the Stuart, Lincoln and Nebraska, of the Paramount-Cooper circuit, here for several years, has left to take over the Sterling and Park for the same circuit in Greeley, Colo. His successor here is Ralph H. Ayer.

Coast Unions May Demand 30-Hour Week

(*Continued from page* 1)

being felt in Hollywood and eventually may assume the proportions of a serious problem.

He pointed out that this would be aggravated by any demands for a shorter work week and recalled that the 36-hour week had been adopted only to spread employment at a time when the unions were confronted with a surplus of workers. Producers now, he intimated, might be impelled to counter with a demand for a 40-hour week which in some measure, would relieve the threatened shortage of skilled workers in Hollywood.

There are no definite indications yet that wage rises will be asked by the internationals at the coming negotiations, which are conducted by the presidents of the eight major companies with the presidents of the international unions.

There is a strong possibility of the I.A.T.S.E. again becoming a signatory of the basic agreement. The I. A. withdrew from the agreement in 1939 upon establishing local autonomy for its member unions on the Coast. Its reentry into the agreement would result in the discontinuance of local autonomy for the I. A. Coast units.

Industry Opposes Berne Agreement

(*Continued from page* 1)

Convention would "create the utmost confusion and chaos in the field of copyright," Kilroe will state. He will urge that adherence to the Convention be delayed until a new one is drafted. However, he will point out there is little likelihood at present of any conference to re-draft the Berne Convention.

Some of the proposals made are "startling recommendations so far as the motion picture industry is concerned," he will state. These "startling recommendations" include oral copyright; authorship of a film; copyright of the rendition and interpretation of performing artists; right of privacy in voice for mechanical reproduction; right of privacy in likeness and in voice for television; right to regulate prices for use of music in the case of monopoly; right of pursuit by authors, and copyright in the title as part of the work.

Will Urge Changes

Kilroe will stress the need for changes in the present Berne Convention to permit changes in an author's work. He will say: "The right to make changes in an author's work is of the utmost importance to the motion picture industry. A dramatic play or story is usually written with an appeal to a particular class. A motion picture is intended to have entertainment value for the great masses and its financial success depends upon its mass psychology entertainment value; the wider the appeal the greater its value. A limitation on the right to change the plot, theme, sequence and description of the characters in literary works would bring havoc to the film industry."

Bercovici Sues Chaplin for $5,000,000 Over 'Dictator'

(*Continued from page* 1)

000 damages, or $1,250,000 as one-half of the net profit.

The author alleges that since July 5, 1937, he has been employed by Chaplin under a contract providing that he receive screen credit and 15 per cent gross of all pictures based on original ideas and stories written by him.

The complaint sets forth that on March 15, 1938, Chaplin requested a satire on dictators, which Bercovici alleges he worked on and presented the idea of a barber with a mustache who is mistaken for Hitler. Chaplin told Bercovici that the idea was not feasible, and later Chaplin based "The Great Dictator" on this idea, the complaint alleges.

In 1937 Bercovici had written a script called "Haymarket Riot," which Chaplin refused to produce, the complaint says. For this Bercovici seeks $85,000. In the same year, the author claims, he wrote "The Cry of the Wolf" at Chaplin's request as a story to star Paulette Goddard. This script also was not used, and for this the complaint alleges $32,500 damages.

Chaplin's attorneys have moved to have the suit transferred to the U. S. District Court on the grounds of diversity of residence.

See New Delay for Landsdowne Action

PHILADELPHIA, April 14.—Although hearing in the anti-trust suit of the Lansdowne Theatre against Warners and the major distributors has been postponed from April 21 to May 19, the taking of pre-trial testimony is expected to delay the hearing beyond the latter date. Thus far, Norman Ball, Lansdowne counsel, has taken pre-trial testimony of Joseph Bernhard, Warner Theatres general manager; William F. Rodgers, M-G-M general sales manager; Thomas J. Connors, M-G-M Eastern sales manager; and the heads of the local Warner and Paramount exchanges.

This week, the taking of pre-trial testimony of the heads of the other local major exchanges will be started. At the conclusion of the pre-trial questioning on the part of Ball, Bernard Segal, counsel for the major distributors, indicated that he will also take pre-trial testimony from the plaintiff parties.

Defer Sentencing of William Fox in Phila.

PHILADELPHIA, April 14. — Sentencing of William Fox, who pleaded guilty March 28 to charges of obstructing justice and conspiracy to defraud the Government, was deferred today by Federal Judge Robert N. Pollard. It was explained that his sentence probably will be imposed at the termination of the trial of the alleged co-conspirators. Fox was not present in court today, nor was he represented.

Retired U. S. Circuit Court Judge J. Warren Davis entered a plea of not guilty today. May 19 was set as the trial date. The charges grew out of the Fox bankruptcy proceedings during which Davis sat as judge in several phases of the case.

Fight on Minn. Bill Disclaimed by P.T.A.

(*Continued from page* 1)

had been before neither organization, and Charles B. Howard, another committee member, said he had never been called to attend a meeting to discuss the legislation."

"I very much resent," King wrote, "Johnson using the authority of his official position to express his personal views."

Meanwhile, Fred Strom, secretary of Northwest Allied, was understood to be preparing another communication to senators referring to the Johnson and King letters.

Kansas Aisle Law Effective Shortly

KANSAS CITY, April 14.—The Kansas Senate bill to permit owners of small theatres to have a single middle aisle in the theatre, provided the aisle is at least 44 inches wide, passed by the recently adjourned state legislature, will take effect after its publication, expected shortly.

'Zanzibar', 'Hamilton Woman', 'Great Lie' Top B'way Grosses

(*Continued from page* 1)

Great Lie," Bette Davis film at the Strand, where Jimmy Dorsey's band heads the "in person" show.

"That Hamilton Woman," with the Music Hall's Easter stage show, will be held a third week, since it grossed $62,000 over the weekend, theatre officials assert, and will probably reach $108,000 or more for the full week.

"The Great Lie" is estimated to have grossed more than $23,000 until yesterday morning, which is considered big.

'Pot o' Gold' Takes $20,800

"Pot O' Gold" with a stage show brought about $20,800 at the Roxy Thursday through Sunday of its second week. It will be replaced on Thursday by "The Lady from Cheyenne."

"I Wanted Wings" at the Astor was another big attraction, ending its third week tonight with about $10,000. "Meet John Doe" was good for an estimated $12,500 at the Rivoli, Wednesday through Sunday. The picture finished its second week with about $18,000.

JUDY POPS UP WHEN THE WORLD NEEDS A LAUGH!
SIS HOPKINS
IT'S A SUPER-COMEDY WITH MUSIC!
JUDY CANOVA
JOSEPH SANTLEY, Director
Screen Play by JACK TOWNLEY, MILT GROSS and EDWARD ELISCU
Original Story by F. McGREW WILLIS
A Republic Picture
BOB CROSBY AND HIS BAND WITH THE BOBCATS
CHARLES BUTTERWORTH
JERRY COLONNA
SUSAN HAYWARD
KATHARINE ALEXANDER
AND AN ALL-STAR CAST

Wishing Is Wonderful!

...but action...drive...push and aggressive selling bring results.

That means advertising. That means Trailers . . . that means Lobby Displays consistently used . . . intelligently placed . . . expertly created . . . that means General Advertising Accessories tied in with your Lobby Displays . . . tied in with your Trailers . . . plentifully used . . . regularly used . . . full of selling action . . . full of selling drive . . . full of ticket-selling push.

Wishing is wonderful . . . but the Three Best Seat Sellers bring results.

NATIONAL Screen SERVICE • NATIONAL Screen ACCESSORIES
ADVERTISING ACCESSORIES, Inc.

. . . Prize Baby of the Industry!

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V[illegible] 49. NO. 74 NEW YORK, U. S. A., WEDNESDAY, APRIL 16, 1941 TEN CENTS

Kent Planning 20th-Fox Meet For Chicago

Sales Convention to Be In Early Summer

Twentieth Century-Fox will hold a national sales convention, probably in early summer in Chicago, it was indicated yesterday by Sidney R. Kent, president. Announcement of the number of pictures which the company will distribute for 1941-'42 is expected to be made at that time. Such announcement will follow discussions which are to be held in California after May 15 by Kent with Darryl F. Zanuck, vice-presi-

Sidney R. Kent

(*Continued on page* 4)

Senate Battle on Copyright Indicated

Washington, April 15.—The Senate is expected to fight suggestions that the United States join the Berne Copyright Convention, which is opposed by the film industry, it was indicated here today when a Senate Foreign Relations subcommittee heard arguments on adherence.

At the same time, the House Patents Committee began taking testimony on the freezing of royalties due residents of other countries.

Before Senator Elbert D. Thomas of Utah, officials of the State Department, Cultural Relations Coordination and the Library of Congress urged adherence to the Berne Convention to carry out the Administration's program for improving cultural relations internationally and paving the way for rebuilding the world after the war.

Tomorrow, A. J. Brylawski, vice-president of the MPTOA, and Sydney M. Kay of the National Association of Broadcasters will submit the views of the film and broadcasting industries.

The indications of a fight against adherence, if it should be recommended to the Senate,

(*Continued on page* 6)

First Complaint Is Filed in Cincinnati; Third for Buffalo

The first arbitration complaint filed with the Cincinnati tribunal and the third at Buffalo were reported to American Arbitration Association headquarters here yesterday.

Cincinnati's first case was brought by Willis H. Vance, owner of the suburban Ohio and Eden and the State at Newport, Ky., against Paramount, 20th Century-Fox, Warners and Loew's, on both clearance and run complaints. Named as interested parties are the Hippodrome and Strand, Newport.

The Buffalo complaint, on clearance, was filed by N. M. Konczakowski, owner of the Marlowe, Buffalo, against the five consenting companies. Shea's Niagara is named as interested party. The complaint sets forth that the Marlowe now plays after the Niagara and contends it should play ahead of it on the ground that it antedates the Shea house. The two

(*Continued on page* 4)

Final Vote on Minn. Bill Due This Week

Minneapolis, April 15.—The bill which has passed the Minnesota House to set aside the blocks-of-five selling provisions of the Federal consent decree is expected to come up for a vote in the Senate before the end of the week, probably on Thursday. The measure has been recommended for passage in the Senate.

Balaban & Katz Net $1,526,911 in 1940

Chicago, April 15.—Walter Immerman, vice-president of Balaban & Katz Corp., today announced earnings of $1,526,911 for the fiscal year of 1940, after all charges. This includes earnings of the Chicago group and Publix Great States' Ohio and Indiana theatres.

Schine Asks New Complaint In Trust Suit

Buffalo, April 15.—Further indication that the chances of a settlement of the Government's anti-trust suit against the Schine circuit and the Little Three are very slight, was found in the filing in U. S. District Court here today of a Schine application for an order to require the Government to enter an amended complaint in the action.

Willard S. McKay, Schine counsel, is scheduled to argue the motion for the order in Federal court here next Monday.

The application notes that an amended complaint is essential so that pleadings in the case will conform to

(*Continued on page* 4)

Correspondents Reject Studios' Preview Offer

Hollywood, April 15.—Studio publicity directors were told today by the recently organized Motion Picture Correspondents' Committee that unless the studios assured them earlier previews they would have to "take measures" to bring this about.

Douglas Churchill, Hollywood correspondent of the *New York Times* and chairman of the correspondents' group, so informed John Joseph, Universal advertising and publicity director and chairman of the publicity directors' committee, at a meeting at the Brown Derby. Churchill did not specify the steps contemplated to be taken.

The meeting was called to submit the publicity directors' report to the newspapermen regarding their request

(*Continued on page* 6)

'Citizen Kane' Coast Premiere on May 8

Los Angeles, April 15.—RKO's "Citizen Kane" will be given its local premiere on May 8 at the El Capitan Theatre, legitimate house, which will have sound equipment installed for the run. The next day the picture will open engagements at the El Capitan at two-a-day and at the RKO Hillstreet.

The El Capitan will have one matinee and one evening performance with all seats reserved, and the Hillstreet's policy will be two matinees unreserved and one reserved evening performance. The scale at both houses will be 75 cents matinees and $1.10 and $1.65 evenings.

U. A. Program Will Include 16-20 Films

Korda Rules Out Blanket Contract Sales Plan

Hollywood, April 15. — United Artists' 1941-'42 schedule is likely to be held down to less than 20 films and may total 16, according to latest official indications.

Alexander Korda's refusal to approve the proposed blanket sales contract plan sponsored by Arthur W. Kelly, vice-president in charge of distribution, is declared by officials as definitely disposing of that prospect at this time.

Word of Korda's decision is said to have been given to U. A. officials over the weekend.

The blanket contract schedule discussed by Kelly here recently called for a program of 16 pictures, with a definte proviso against foreign-made films. These 16 comprise three from Korda; three from Walter Wanger; five from Edward Small, one from Arnold Pressburger, and one each from David Loew-Albert Lewin, Richard Rowland, Sol Lesser and Ernst Lubitsch.

It is expected here that Maurice Silverstone, chief of U. A. world-wide operations, will remain on the Coast on company business for at least another week or longer.

Arkansas ITO Meet Set for May 11-12

Little Rock, April 15.—Annual meeting of the Independent Theatre Owners of Arkansas will be held May 11 and 12 at the Hotel Marion.

The meeting was set at a directors' meeting recently which was attended by the following: O. G. Wren, Little Rock, president; W. E. Malin, Augusta, vice-president; K. K. King, Searcy, secretary; W. L. Landers, Batesville; D. E. Fitton, Harrison; C. C. Mundo, Little Rock; Charles Bonner, Pine Bluff, and Henry Haven, Forrest City.

In Today's Issue

Four reviews: "Penny Serenade," "Devil Bat," Page 4; "Ziegfeld Girl," Page 5; "Love on the Dole" from London, Page 8. Hollywood production news, Page 6. Key city grosses, Page 8.

Coast Flashes

Hollywood, April 15

COLUMBIA today announced it had signed Barbara Stanwyck for two films a year for three years on a straight contract with no options. She is permitted to make outside pictures, but Columbia will have priority on her services. Her first at the studio will be "The Doctor's Husband," which Wesley Ruggles will produce and direct.

•

Burt Kelly has resigned as associate producer at Universal, a post he held three years.

•

J. Cheever Cowdin, Universal board chairman, is due here tomorrow and Nate Blumberg, president, on Thursday for Deanna Durbin's wedding on Friday to Vaughn Paul.

•

Jules Levey plans to leave for New York on Thursday to confer with Ole Olsen and Chic Johnson on the film version of "Hellzapoppin'," which he will make for Universal.

•

Darryl F. Zanuck, chairman of the Academy of M. P. Arts and Sciences Research Council, today announced the appointment of a subcommittee with Thomas Moulton as chairman to prepare definitions of performance characteristics of sound recording and theatre reproducing systems.

Personal Mention

CRESSON E. SMITH, Western division sales manager for RKO, returns today from the Coast.

•

JAMES R. GRAINGER, president of Republic, left for Boston by plane last night and will return here on Friday.

•

ALBERT DE COURVILLE will leave today by train for the Coast.

•

LEWEN PIZOR and MICHAEL H. EGNAL, Philadelphia exhibitors, have been elected delegates to the district convention of the B'nai B'rith in Atlantic City next month.

•

ROBERT KESSLER, manager of the Penn in Philadelphia, is in the Joseph Price Memorial Hospital there for an operation.

•

MICHAEL KIPPLE, manager of Warners' Victoria, Philadelphia, is recovering in Mt. Sinai Hospital there after a sinus operation.

•

HARRY JORDON, manager of the Philadelphia Trans-Lux Theatre, has been called to Army duty as a reserve officer.

•

CHARLES BOASBERG, former RKO manager in Buffalo, now district manager with headquarters in Cleveland, was given a dinner in Buffalo Monday night.

•

JOHN R. DILLON leaves for Florida today.

•

SIDNEY SAMSON of 20th Century-Fox in St. Louis, will be host at an exchange party Saturday night at the Variety Club there.

•

JACK FINDLAY, exhibitor in Mystic, Conn., and Westerly, R. I., is at Pinehurst.

•

GEORGE WEBER, M-G-M checking supervisor in New Haven, is vacationing in Washington with MRS. WEBER and their daughter.

•

WILLIAM MORTON, publicist at the RKO Albee in Providence, has returned there after a few days here on business.

•

WILLIAM A. SCULLY, WILLIAM F. RODGERS, TOM CONNORS, E. K. O'SHEA, SAM SHAIN, MAURICE BERGMAN, JOHN W. HICKS, MAX A. COHEN, and RUSSELL HOLMAN at Nick's Hunting Room in the Astor yesterday for lunch.

•

NORMAN TAUROG, ROBERT WEITMAN, JOHN D. HERTZ, JR., LESTER FULLER, BARNEY BALABAN, ADOLPH ZUKOR, ARTHUR LOEW, CLAYTON BOND, FRANK PHELPS, VERNON DUKE, JIMMY SAVO, ARMANDO and BENNY GOODMAN lunching at Sardi's yesterday.

•

EDMUND C. GRAINGER, HASKELL MASTERS, HARRY GOLD, ARTHUR KELLY, MONROE GREENTHAL, DAVE LIPTON, ARTHUR ROSENBERG and FRANK MCGRANN having lunch yesterday at the Tavern.

•

HARRY COHN, ARTHUR SILVERSTONE, JACK SCHLAIFER, JACK COHN, NATE SPINGOLD, FRED MEYERS, JOSEPH PINCUS and MARTIN MOSKOWITZ at Lindy's (51st St.) yesterday for lunch.

•

MAX WEISFELDT, HARRY COSMAN, RUBE JACKTER and LOU WEINBERG lunching yesterday at Lindy's (next to the Rivoli).

•

CHARLES TAYLOR, advertising head for the Shea Circuit in Buffalo, is back at work after a long illness.

•

SIDNEY LEHMAN, United Artists Buffalo manager, and JOSEPH HARTMAN, Syracuse salesman, were injured in an automobile accident near Buffalo last week.

•

GEORGE DAVID, critic for the *Democrat and Chronicle*, Rochester, is spending the week here.

Newsreel Parade

EASTER observance around the country, the opening game between the Yanks and the Senators, parachute troops in training and the U. S. agreement to protect Greenland are the more important newsreel subjects. Contents of the new issues [illegible] low:

MOVIETONE NEWS, No. 63—Parachute troops in training at Fort Benning. Easter in New York, Texas, Hollywood and Washington. Danish Minister explains Greenland pact. Henry Ford celebrates wedding anniversary. Yanks and Senators open season. Jamaica track opens.

NEWS OF THE DAY, No. 261—Parachute troops at Fort Benning. U. S. to have Greenland base. Ford observes wedding anniversary. Saboteur drive in Canal Zone. Sing Sing convicts attempt escape. Easter in New York, Washington and Hollywood. Yanks and Senators baseball. Racing at Jamaica begins.

PARAMOUNT NEWS, No. 66—Yanks-Senators baseball game. Sing Sing Prison break. Stalin signs peace treaty with Matsuoka. U. S. signs for Greenland base. Easter parade on Fifth Avenue. Roosevelt at Easter services in Washington. Cherry blossoms in Washington. Parachute troops in demonstration at Fort Benning.

RKO PATHE NEWS, No. 66—Army parachutists drill at Fort Benning. Work resumes at Ford plant. Henry Ford celebrates 53rd wedding anniversary. Liner for South America run launched in Chester, Pa. U. S. to protect Greenland. Convicts caught in Sing Sing break. New navy air base at Corpus Christi, Tex. Yanks and Senators open baseball season. Horse racing at Jamaica.

UNIVERSAL NEWSREEL, No. 971—U. S.-Greenland agreement explained. Easter Parade in Manhattan; sunrise services in Glendale, Cal. Cherry blossoms in Washington. Japan signs pact with Russia. Ford strike settled. Parachute troops in action at Fort Benning. Boston wins hockey cup. Yanks and Senators in first game of the season.

Pressburger Luncheon

United Artists will give a luncheon at the Waldorf-Astoria Hotel today for Arnold Pressburger, who recently affiliated with the company as a producer. Press representatives have been invited. Pressburger will leave for the Coast tonight. His first picture for U.A. will be "The Shanghai Gesture."

Bracken to Detroit

DETROIT, April 15.—Eddie Bracken, Paramount player, is due here tomorrow from the Coast for personal appearances with "Reaching for the Sun," in which he is featured.

MOTION PICTURE
DAILY
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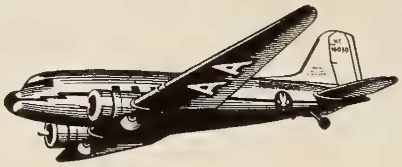

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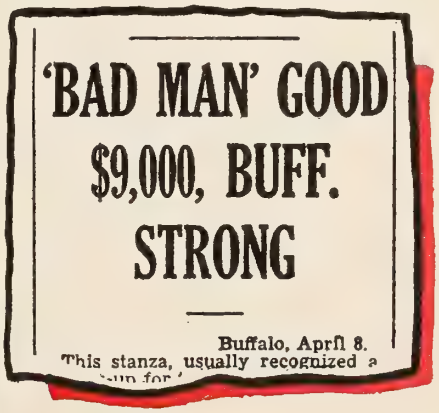

'BAD MAN' GOOD
$9,000, BUFF.
STRONG

Buffalo, April 8.
This stanza, usually recognized a

DOING SWELL, THANKS!

The reports of engagements from coast-to-coast are in! Again Wallace Beery proves why exhibitors voted him among the First Ten Box-Office Stars in the business in the annual polls. Beery in "Bad Man" is Box-Office. The kind of western comedy-thrill they love him in!

"THE BAD MAN" starring WALLACE BEERY with LIONEL BARRYMORE • Laraine Day Ronald Reagan • Screen Play by Wells Root • Based on the Play by Porter Emerson Browne Presented by William Harris, Jr. Directed by Richard Thorpe Produced by J. Walter Ruben A Metro-Goldwyn-Mayer Picture

Schine Asks New Complaint In Trust Suit

(*Continued from page* 1)

and be consistent with dismissal of the action as against the "Big Five," and so that the remaining defendants will be informed as to the present nature and extent of the various charges against them.

The application, if granted, is regarded here as certain to result in a long delay of the start of trial of the suit.

The Government complaint, as it now stands, alleges a conspiracy between the Schine defendants and all of the distributor defendants, including the five consenting companies that have been dismissed from the case.

"Since the plaintiff has seen fit to dismiss this case as against the distributor defendants known as the 'Big Five'," McKay's application states, "the Schine defendants are entitled to know before proceeding with their preparation for trial just what kind of conspiracy is now claimed.

"The plaintiff, having dismissed the case against the 'Big Five,' should be required to state categorically whether or not it claims that the Schine defendants ever conspired with any one or more of said defendants and if so, whether or not it claims that said alleged conspiracy continues at this time or terminated with the signing of the consent decree, or at some other time."

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Feature Reviews

"Penny Serenade"

(*Columbia*)

THOSE masters of sophisticated love scenes, Irene Dunne and Cary Grant, have been reunited by George Stevens in a deeply moving and finely etched tale of marital romance. No longer the sophisticates, they tell the story of Mr. and Mrs. Average American, of youthful ambitions, of troubles which spell tragedy, of determined rebuilding, of further troubles and of ultimate joyous conquest.

There are performances in "Penny Serenade" which will leave few dry eyes in any audience. There is Grant starting off in life as a reckless newspaper man, irresponsible and gay, changing slowly through the years to find that a family and a child mean more to him than anything in life. There is Miss Dunne wanting a baby desperately but denied the joys of motherhood through an unfortunate accident, terrified as young mothers are when she finally adopts one and clinging to a love which had overcome disaster in the earlier days of a marriage. Then, too, there are Edgar Buchanan, who comes to the rescue when there is a baby to be bathed, and Beulah Bondi as the understanding head of an orphanage.

It is a picture for the family trade and the whole family will love it. Told episodically, it begins with Miss Dunne about to leave to obtain a divorce. Before she goes, she finds an old album of records with each record reminding her of some incident in the course of the romance. The first, "Penny Serenade," reminds her of the days when she sold records behind a counter where she met Grant. Another brings back memories of his proposal and a trip to Japan where Grant is sent as correspondent for his newspaper. It is there, while expecting motherhood, that she is injured in an earthquake and learns that she can never have a child.

Upon his return to the United States, Grant starts a small newspaper of his own and they decide to adopt a child. After lavishing their love on the infant for a year, the couple almost lose the baby because of financial reverses but an impassioned plea by Grant to the judge wins him the right of final adoption. Then come the joyous years of seeing the child grow until one fateful day when there is a brief illness and sudden death. The shock almost brings a separation and it is here that the story reverts to the point of its beginning, with a telephone call by Miss Bondi offering a second adoption preventing the divorce. Buchanan, a printer, stays with the couple through all the years of their marriage and intercedes at several critical moments to ease the harder shocks.

An audience of exhibitors and the press gathered at the Astor for the showing rocked with hearty laughter during the lighter moments and gave the picture whole-hearted applause at the end. Stevens directed as well as produced and was aided by Fred Guiol as production associate.

Running time, 125 minutes. "G."*

EDWARD GREIF

"Devil Bat"

(*Producers Releasing*)

SCREEN horror with Bela Lugosi in a familiar role, this is not too plausible, but in circles where such screen fare is enjoyed, it should be satisfactory entertainment. Lugosi employs monstrous bats in a fantastic plot to wipe out two families.

As fare for audiences who like this sort of entertainment, the film is well done, with a wealth of chill-thrill excitement included. Direction by Jean Yarborough builds up satisfactorily the eerie atmosphere.

Lugosi appears as a brilliant scientist driven nearly mad by the fact that his perfume creations brought wealth to others while he remained in relative poverty. His method of attack is to cause the intended victims to use a shaving lotion which draws the bats. Dave O'Brien is a dashing reporter who solves the case. Suzanne Kaaren and Guy Usher also are in the support.

Running time, 69 minutes. "G."*

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*"*G*" *denotes general classification.*

RKO Men at Ampa

RKO executives will attend the Ampa luncheon meeting at the Hotel Edison tomorrow at which Ned E. Depinet, vice-president in charge of distribution, will speak. Among those representing RKO on the dais will be Richard C. Patterson, Phil Reisman, Andy W. Smith, S. Barret McCormick and John J. O'Connor.

Takes Over Kansas House

KANSAS CITY, April 15.—Glen Luvac has taken over the Isis, Omega, Kan., formerly operated by R. W. Graff.

Jackman Elected President of ASC

HOLLYWOOD, April 15.—Fred Jackman, head of the Jackman Color and Process Co., last night was elected president of the American Society of Cinematographers at the annual meeting. New members and a new board of governors were installed.

Jackman succeeds John Arnold, head of the M-G-M camera department, who, with a one and a half year break, had been president since 1932. He declined to run again.

First Complaint Is Filed in Cincinnati; Third for Buffalo

(*Continued from page* 1)

other complaints here were withdrawn prior to hearing.

The hearing of the Squire Theatre's complaint against all five companies, scheduled to be resumed here yesterday, was adjourned to April 22 at the request of an attorney in the proceeding who is engaged in trial of another case.

The clearance complaint of Monseigneur Enterprises against all five companies, which was filed at the New York board on Feb. 26, was set for hearing on April 21, with Warren Leslie, Jr., as arbitrator. The complaint of the River Theatre Corp., Pearl River, N. Y., against all the consenting companies on clearance was set for hearing on April 23. An arbitrator has not yet been designated. Hearing of the Rosyl Amusement Corp. clearance complaint against the five companies, which had been scheduled for today, has been postponed to April 30. Frank L. Weil is arbitrator.

Arbitrator Is Named In New Orleans Case

NEW ORLEANS, April 15.—Dr. Paul Brosman has been designated arbitrator of the Modern Theatres "some run" complaint against Warners and hearing has been set for April 22.

The complaint is the last of three filed by Modern, which has brought the only ones received by the local board to date. The first, against Paramount, was heard several weeks ago but no decision has been handed down yet. The second, against Loew's, was settled before being heard.

Open Hearings In Washington Complaint

WASHINGTON, April 15.—Hearing of the Westway Theatre, Baltimore, clearance complaint against 20th Century-Fox, Warners and Loew's opened at the local arbitration board here today with Sefton Darr as arbitrator. The hearding continued into the evening.

Named as interested parties in the case are the Durkee Circuit's Edgewood, Irvington and Alpha.

Kent Plans 20th-Fox Meeting in Chicago

(*Continued from page* 1)

dent in charge of production, and other studio officials.

The company's annual stockholders' meeting, which was scheduled to be held yesterday, was adjourned until May 15 at the request of Joseph M. Schenck, chairman of the board, because he wanted to have his present controversy with the Government over his personal taxes disposed of prior to the meeting.

Officers and directors at the meeting besides Sidney R. Kent were John R. Dillon, W. C. Michel, Hermann Place, Richard Dwight, Otto E. Koegel, Sydney Towell and William Eadie.

A meeting of the board of directors followed at which matters of internal interest were discussed.

Feature Review

"Ziegfeld Girl"

(M-G-M)

HERE is an opulent, eye-filling spectacle in the true tradition of Florenz Ziegfeld, the great spectacle-maker, and at the same time possessed of a heart-catching, human story of real people, the whole adding up to what should be box-office appeal of the widest kind and of a high order.

It is somewhat unfortunate, to the mind of this reviewer, that the producers have seen fit to conclude their story with tragedy, the untimely death of a former Ziegfeld girl who had taken the inviting path of diamonds and furs. Her death appears needless to the story, and would seem to have the effect of sending the audience from the theatre in a frame of mind contrary to that produced by the sum total of the rest of the film.

The cast is a star-studded showman's marquee dream. The names include James Stewart, Judy Garland, Hedy Lemarr, Lana Turner, Tony Martin, Jackie Cooper, Ian Hunter, Charles Winninger, Edward Everett Horton and Paul Kelly. All give skillful performances. A word is due for Busby Berkeley, who staged the "Follies" dance numbers. The film has a pair of songs, "Minnie from Trinidad" and "You Stepped Out of a Dream," which should have a vogue all their own.

Pandro Berman, who produced, and Robert Z. Leonard, director, gave to the production the finest in technical values, and a smoothness of pace which carries the audience at all times along with the movement of the picture.

The story is that of the Ziegfeld girls, from all walks of life, to whom a part, even as a showgirl, in a Ziegfeld show, was open sesame to the world. It was something none could resist, and what they made of their chances was something that only they themselves could determine. Ziegfeld himself is never seen in the film, wisely, since his physical presence is unnecessary. Kelly and Horton represent him.

The most crucial drama centers about Miss Turner, overnight turned from an elevator to a Ziegfeld glamor girl, unable to resist the diamonds and furs offered by Hunter, dropping by the wayside her fiance, Stewart, a truck driver. She goes the way of such who cannot resist temptation, and at the last, when she comes out of the gutter back to Stewart's waiting arms, she dies.

The secondary stories are those of Miss Lamarr, faithful wife of a concert violinist out of work, who remains faithful despite her husband's jealousy, and at last is happily reunited with him. Miss Garland, daughter of Winninger, old trouper, gets her chance and makes good, while her father, teaming up with Al Shean, makes a "Follies" hit of his own with the immortal "Mr. Gallagher and Mr. Shean," which will awaken a nostalgic chuckle in the older members of any audience.

Interspersed in the track of these separate, yet concurrent dramatic stories, are the "Follies" numbers, brilliantly effective, musically attractive and most elaborate.

Running time, 131 minutes. "G."* CHARLES S. AARONSON

"G" denotes general classification.

St. Louis Paper Aids Triple Feature Ban

ST. LOUIS, April 15.—The aim of the bill limiting length of motion picture performances to two and a half hours now pending in the Missouri legislature has been approved by the St. Louis *Post Dispatch,* which said the measure, intended to abolish "double and triple-headers at the movies is sensible."

The newspaper said the multiple features waste the time of the average patron. "They permit the hooking of inferior films to the coattails of the good ones; impose a fearful eyestrain on the audience, particularly children, and make for unmade beds, unswept floors, cold dinners, late retiring hours and generally irregular living," said the newspaper.

However, the *Post Dispatch* disapproved of the method of elimination, pointing out double features, "unfortunately are popular with large elements of the population, and suppression of them by force would leave resentment, a feeling of arbitrary deprivation."

Counter Claim Filed In Segall-Pizor Suit

PHILADELPHIA, April 15.—A counterclaim in the litigation involving the partnership of Lewen Pizor and Charles Segall, both prominent local exhibitors, was filed today in Common Pleas court by Morton Witkin, counsel for Segall.

Allegations are made that Pizor obtained unauthorized outright money payments or credit at the expense of their joint theatre corporations from Quality Premium Distributors and from Paramount Pictures. Pizor is also charged with removing from the theatres certain partnership property valued at a minimum of $1,500. The court is asked to appoint a receiver to liquidate the business.

Segall seeks an injunction to restrain Pizor from dealing with the assets of the partnerships.

In addition, a bill in equity asks for an accounting of "any unjust enrichment enjoyed by the defendant" and asks the court to award damages. Eastern Theatres, Inc., and Boro Theatre Corp. are joined as defendants, comprising the partnership operating the Ace, Tioga, Shelten and Apollo.

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Senate Fight On Copyright Is Indicated

(*Continued from page* 1)

came in the assertion of Senator Hiram Johnson of California that this is the "worst possible time" to accept any such convention.

Representative Sol Bloom of New York, chairman of the House Foreign Affairs Committee, who was a delegate to the Rome Convention in 1928, also declared that adherence now is unwise, and that if we joined the convention without amending our copyright laws American interests might suffer severely.

Wallace McClure of the State Department said that Secretary of State Hull is anxious for adherence that he may deal with complaints of piracy of American works abroad, and John E. Lockwood, general counsel for Nelson Rockefeller, coordinator of relations between American Republics, declared it would remove a barrier to the perfection of cultural relations with Latin America.

Edwin P. Kilroe, chairman of the copyright committee of the MPPDA, contended that better results are being obtained in Latin America under the Buenos Aires agreement than anywhere under the Berne Convention, which, he said, would give Americans no rights or privileges not now granted.

Officials of interested Federal agencies appeared before the House committee to approve resolutions providing for the holding in this country of royalties due nationals of governments which have refused payments due Americans to leave their countries, from which claims of American copyright and patent owners against such nationals could be satisfied. The legislation is considered of little value to the motion picture industry, which had no representatives present.

New Little Rock House

LITTLE ROCK, April 15. — Ralph Noble, resident manager here for the Robb & Rowley Circuit, has announced that construction will start at once on the new Arkansas Theatre here. It will seat 1,360. Cost wasn't disclosed.

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10 Story Properties Are Purchased by 6 Studios

Hollywood, April 15

TEN stories were bought by the various studios last week. RKO bought three, one "untitled and unwritten" from I. A. R. WYLIE who presented the idea orally. VICKI BAUM sold "Powder Town," story of an American munitions plant, and ARNAUD D'USSEAU and RICHARD COLLINS sold "Lady Scarface," gangster comedy, to the studio.

Twentieth Century-Fox bought "Hearses Don't Hurry," novel by STEPHEN RANSOME, and "Moontide," waterfront story by actor WILLIARD ROBERTSON. After seeing a rough cut of "Rookies on Parade," Republic executives acquired "Devil Dogs on Parade," U. S. Marine story by LESTER MILLER, and "Gobs in Blue," original by HAROLD TURNER with a Navy background.

M-G-M acquired the film rights to "Drivin' Woman," novel now being written by Elizabeth Picket Chevalier. "Take a Letter, Darling," original by George Beck, has been purchased by Paramount. "Drake's Drum," story by Peter Viertel which *Liberty Magazine* will publish, has been bought by David O. Selznick.

• •

BINNIE BARNES and KATHARINE ALEXANDER have been cast for "Angels with Broken Wings," Republic. . . . EDNA MAY OLIVER comes out of retirement to appear in ALEXANDER KORDA'S "Illusions." KORDA also has signed three newcomers for the film—JOSEPH COTTEN from the Mercury Theatre, GEORGE REEVES and HANS JARAY. . . . In the realignment of the "Aldrich Family" cast at Paramount, DOROTHY PETERSON and JOHN LITEL will play the father and mother. MARTHA O'DRISCOLL will play "Henry's" sister. . . . RKO has given term contracts to JANE WYATT, EDMOND O'BRIEN, PHILLIP REED and PAUL HERNDON. . . . ERIC SEVAREID, CBS commentator, is doing the narration for Warners' "Underground." . . . PRISCILLA LANE gets the feminine lead in "Million Dollar Baby" at Warners.

• •

EDWARD SEDGWICK returns to M-G-M as a director. . . . EDWARD H. GRIFFITH will guide "Out of the Frying Pan," Paramount. . . . KING VIDOR has been assigned by M-G-M to direct "H. M. Pulham, esquire." . . . Warners has extended the contracts of directors CURTIS BERNHARDT and WILLIAM KEIGHLEY. . . . Columbia's "Ladies in Retirement" will be directed by CHARLES VIDOR. . . . WILLIAM MCGANN draws the assignment on "The Parson of the Panamint."

• •

Twentieth Century-Fox announced Henry Fonda and Joan Bennett would be starred in Stewart Edward White's "Wild Geese Calling," Betty Grable would play oposite Tyrone Power in "A Yank in the RAF," and that Gene Tierney gets the title role in "Belle Starr."

• •

DON CASTLE, whose first major film role was in "Power Dive," will get the romantic lead in Paramount's "World Premiere," featuring JOHN BARRYMORE, FRANCES FARMER and RICARDO CORTEZ. EDWARD SMALL has borrowed GEORGE BRENT from Warners and signed BASIL RATHBONE to star in "G-Man Versus Scotland Yard," for United Artists release. TIM WHELAN will direct.

Vogel Makes Shifts In Loew's Theatres

Joseph R. Vogel, Loew Circuit executive in charge of out-of-town theatres, yesterday announced the following changes: Carl Rogers, formerly assistant manager of Loew's, Harrisburg, becomes manager of the Granada, Cleveland, replacing John Newkirk, resigned. George Loukides, assistant at Loew's Poli, Waterbury, Conn., replaces Rogers in Harrisburg. Sid Voletsky, student assistant at the Majestic, Bridgeport, becomes assistant in Waterbury.

New Kodak Lens Glass

ROCHESTER, April 15.—A new glass for lens making, produced without the silicates used before, has been developed by Eastman Kodak Co., it has been announced here. The new glass is said to permit photography over a wider area and with a sharper picture.

Correspondents Reject Studios' Preview Offer

(*Continued from page* 1)

that the preview situation be remedied. After the meeting it was said that the correspondents displayed solidarity in reacting to the publicity group's report as unsatisfactory.

The correspondents' grievances pertained to what they said was the piling up of previews, the previewing of pictures here later than in New York or elsewhere, and previewing too soon before release dates, which did not meet with their approval because of publication deadlines, among other reasons.

Cited by the correspondents were the instances of M-G-M's "Ziegfeld Girl," which opens in Chicago on Saturday and was previewed here today, and Columbia's "Penny Serenade," which was trade shown in New York today and will be previewed here tomorrow night

Also, pictures are previewed here so close to openings, it was said, that publications often review films after many readers have already seen them.

Churchill informed the publicity men's committee that unless these difficulties were solved before their next meeting, April 29, the newspaper group felt it would have to take other measures.

'Nice Girl' Is Hit in Frisco With $14,500

SAN FRANCISCO, April 15.—"Nice Girl?" and "Blondie Goes Latin" at the Orpheum scored a strong $14,500. "Footlight Fever," aided by a [illegible]age show at the Golden Gate, wi[illegible]ed Lewis, drew $18,500.

Estimated receipts for the week ending April 8-12:

"Footlight Fever" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Ted Lewis, vaudeville. Gross: $18,500. (Average, $15,000)

"Topper Returns" (U. A.)
UNITED ARTISTS—(1,200) (15c-35c-40c-55c) 10 days, 2nd week. Gross: $9,200. (Average, $8,000)

"Nice Girl?" (Univ.)
"Blondie Goes Latin" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $14,500. (Average, $8,000)

"The Bad Man" (M-G-M)
"Golden Hoofs" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 6 days, 2nd week. Gross: $12,500. (Average, $16,000)

"The Lady Eve" (Para.)
"Behind the News" (Rep.)
PARAMOUNT — (2,740) (15c-35c-40c-50c) 9 days, 3rd week. Gross: $10,200. Average, $11,500)

"The Sea Wolf" (W. B.)
"The Great Mr. Nobody" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 9 days, 3rd week. Gross: $6,800. (Average, $6,000)

"Trial of Mary Dugan" (M-G-M)
"Free and Easy" (M-G-M)
WARFIELD — (2,680) (15c-35c-40c-50c) 7 days. Gross: $10,500. (Average, $12,000)

"Personal Column" (Pax Films)
CLAY — (400) (15c-35c-45c) 7 days, 3rd week. Gross: $700. (Average, $1,000)

"Fantasia" (Disney)
GEARY — (1,288) (55c-75c-$1.10-$1.65) 7 days, 6th week. Gross: $15,500. (Average, $12,000)

RKO Circuit Heads Set Business Drive

Division managers of RKO theatres are here setting plans with John J. O'Connor, vice-president and general manager of the circuit, for a business drive which will start April 24 for five weeks.

The conferences will wind up with a dinner next Monday which home office executives and RKO theatre managers in the New York area will also attend. The period of the drive will be known as "Maytime Movie Jubilee."

Division managers here from out of town are Charles W. Koerner, Los Angeles; Thomas Gorman, Chicago; I. J. Libson, Cincinnati; Nat Holt, Cleveland; Jay Golden, Syracuse; Harry McDonald, Boston, and J. M. Brennan, Trenton and Washington.

Don't Forget....
You Have a Date....
National Convention of
The Variety Clubs
of America
Traymore Hotel
Atlantic City, N. J.
May 15th, 16th & 17th

Theatre Changes

Hanson to Open Unit May 15

TORONTO, April 15.—The Hanson Theatres Corp., Ltd., will open a new circuit unit in Hamilton, Ont., on May 15. The house, which seats 750, will be named the Athlone, in honor of the Earl of Athlone, Canada's Governor-General. The manager will be George [illegible] who has been assistant manager of the Granada at Hamilton, another Hanson theatre which will continue in charge of Lloyd Taylor.

Named Manager by Kolb

CINCINNATI, April 15. — G. C. Kolb, owner of the suburban Norwood, has appointed Fred Strief manager to succeed the late Andrew G. Hettesheimer, who died recently. Strief formerly owned and managed the Beecher, local colored house, and at one time was branch manager for Paramount and Universal here.

Repair Wilkes-Barre Theatre

WILKES-BARRE, Pa., April 15. — A city permit has been issued to the Comerford Amusement Co. for general repairs and improvements at the Irving Theatre. Recently Manager Fred Hermann installed new carpeting throughout the house and new curtain.

To Install New Marquees

READING, Pa., April 15.—Permits to erect new theatre marquees at a total cost of $9,000 were issued to Harry J. Schad for his Astor and Strand. Operations of the houses return to Schad on May 1 upon the expiration of the lease held by the Warner circuit.

To Become First Run

KANSAS CITY, April 15.—George Baker, who operates the Ritz and the Helstrom at McPherson, Kan., announces that the Helstrom, to be renamed the Manor, will become a first run house as soon as building improvements are finished.

Manages Elkhart House

ELKHART, Ind., April 15. — Glen Schwartz of Waukegan, Ill., has been named manager of the State here, succeeding Rex Williams, resigned. William Miller, who has been assistant manager, goes to Hammond, Ind., to manage the Hohman.

Operating Two in Kansas

KANSAS CITY, April 15.—E. D. Wilson is now operating the Uptown, Strong City, Kan., and the Lyric, Cottonwood Falls, Kan. The two houses were formerly owned by Charles Lancaster.

Plans Connecticut House

WETHERSFIELD, Conn., April 15.—After postponing construction for several seasons, Maurice and Joseph Shulman report they will start building a 750-seat theatre here about May 1.

To Reseat Hartford House

HARTFORD, Conn., April 15.—E. M. Loew's will reseat the E. M. Leow Theatre balcony here this Spring.

Opens Missouri House

KANSAS CITY, April 15. — Joseph Goshen, who operates the Uptown, Sedalia, Mo., has opened a new house at Waynesville, Mo.

Off the Antenna

THE National Woman's Division of the Committee to Defend America by Aiding the Allies yesterday announced a nationwide competition for the best song on the subject of America aiding democracy in the current crisis and the need of this country to assume a responsible role in the future peace. Judges include Gladys Swarthout, Benny Goodman, Samuel Chotzinoff, Lanny Ross, Carleton Sprague Smith, Nikolai Sokoloff, Morton Gould, Alice Duer Miller, Arthur Guiterman, Louis Bernstein, Merritt E. Tompkins, Edwin Franko Goldman and Erno Rapee.

• • •

Purely Personal: *Former Postmaster James A. Farley will be guest of Mrs. Ida Bailey Allen over WMCA Friday at 11 A.M. . . . R. Gerald Peel has joined the announcing staff of WMBO, Auburn, N. Y. . . . William Paley, president of CBS, and Clarence Francis, president of General Foods Corp., will appear on the Kate Smith Hour April 25 to pay tribute to Miss Smith on her 10th anniversary on the radio. The program is heard over 91 CBS stations Friday, 8 to 8:30 P.M.*

• • •

Program News: "Colgate Talent Contest" which starts tomorrow over CBS at 8 P.M. will feature four new performers each week with Ed East as master of ceremonies. . . . S. B. Thomas, Inc., has renewed its WQXR contract for an additional 52 weeks. The contract provides for 57 time signals and a daily spot announcement on "Breakfast Symphony" each week.

• • •

"Fibber McGee & Molly" has moved into first place by a three-point margin among network evening programs, according to the April ratings of C. E. Hooper. One month ago, the program moved from fourth to second place. Walter Winchell also moved up considerably, going from seventh to third. Current rankings, according to Hooper, are "McGee," Jack Benny, Winchell, Bob Hope and Charlie McCarthy.

• • •

Niles Trammell, *president of NBC, will give a dinner honoring Jack Benny at the Hotel Biltmore in Los Angeles on May 9, in celebration of Benny's 10th year on the air. Clay Morgan, assistant to Trammell, is now on the Coast arranging the party, to which film and radio figures will be invited.*

Plans Crackdown On Bingo in Buffalo

BUFFALO, April 15.—Buffalo's new Police Commissioner, Austin J. Roche, says he is going to put an end to Bingo playing.

"I am satisfied Bingo is illegal, that it is gambling," said Roche after a conference with District Attorney Leo J. Hagerty. "I intend to take steps towards closing every Bingo game in Buffalo.

Roche said he conveyed to the district attorney information on Bingo operations and received the prosecutor's pledge of full cooperation in any drive to eradicate the game.

Roche further revealed that the district attorney will set aside a day this week to present complaints against Bingo to the Grand Jury with a view to obtaining indictments.

Sales Personnel Shifted by Mutual

Mutual has made a number of changes in its sales personnel, including the appointment of Curtis J. Harrison, formerly advertising manager of *Photoplay* magazine, to its Eastern sales staff.

Thomas Harker has been shifted from the East to the Chicago office, succeeding Howard Keefe, who resigned to join Dodge Reports, Inc. John Mitchell, formerly of the Erwin Wasey agency, has been appointed to a sales service post in New York. Donald Pontius of the Midwestern sales promotion staff will handle sales service in Chicago in addition to his present duties.

Select Changes Title

Select Attractions, Inc., has changed the title of its second Merrick-Alexander production from "I'll Buy Your Life" to "I'll Sell My Life." The release date is May 1.

Seeks Premiere

ST. LOUIS, April 15.—Fanchon & Marco here expects that the premiere of RKO's "Tom, Dick & Harry" will be held here, because Harry C. Arthur, F. & M. executive, is the father of sons called Tom, Dick and Harry. RKO officials would not comment.

Ascap Submits New Formula To NBC Heads

Ascap's new licensing formula was submitted to officials of NBC at a meeting at the latter's offices here yesterday.

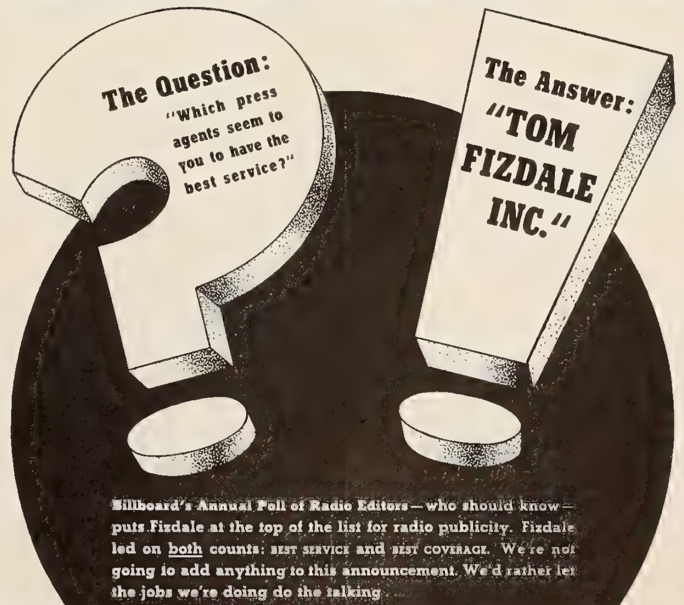
The formula, the same as that presented earlier to Mutual and Columbia Broadcasting System, was discussed at length at yesterday's meeting. After further study by NBC, another meeting will be held with Ascap representatives at which, it is expected, actual negotiations on terms will be begun.

Negotiating meetings with both Mutual and CBS are likely to be called within the next few days, although no definite meeting dates have been set.

WMCA Follows Code, Bans Controversies

WMCA yesterday recognized the National Association of Broadcasters code and announced it would not accept sponsorship of controversial broadcasts, except during political campaigns. The ruling does not affect commentators, who will continue to be free to express their own views. A further exception will permit sponsorship of forums where all sides are represented equally. It was stated that controversial questions under discussion will receive free time over the station with both sides equally represented.

AMERICA'S RADIO EDITORS VOTE:
"Fizdale Best Radio P. A."


The Question:
"Which press agents seem to you to have the best service?"
The Answer:
"TOM FIZDALE INC."

Billboard's Annual Poll of Radio Editors — who should know — puts Fizdale at the top of the list for radio publicity. Fizdale led on both counts: BEST SERVICE and BEST COVERAGE. We're not going to add anything to this announcement. We'd rather let the jobs we're doing do the talking.

TOM FIZDALE
INCORPORATED
Publicity and Public Relations
•
485 Madison Avenue, New York
CHICAGO: 360 North Michigan Avenue
HOLLYWOOD: 1509 North Vine Street

'Blondie' and Show Chicago Draw $17,000

CHICAGO, April 15.—"Blondie Goes Latin" and a stage show at the State-Lake, took $17,000 in a generally slow week here. In the second week, "Lady Eve," plus a stage show featuring Patsy Kelly and Zasu Pitts at the Chicago Theatre, drew $30,000.

Estimated receipts for the week ending April 11:

"Fantasia" (Disney)
APOLLO — (1,400) (50c-75c-$1.10-$1.65) 7 days, 7th week. Gross: $7,500. (Average, $6,500)

"Lady Eve" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Patsy Kelly and Zasu Pitts. Gross: $30,000. (Average, $32,000)

"Rage in Heaven" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,500. (Average, $5,000)

"Little Men" (RKO)
ORIENTAL — (3,200) (25c-40c) 7 days. Stage: Variety Stage Show. Gross: $12,000. (Average, $13,000)

"Nice Girl?" (Univ.) 3 days
"The Man Who Lost Himself" (Univ.) (3 days)
"Mr. and Mrs. Smith" (RKO) 4 days
"Vivacious Lady" (RKO) 4 days
PALACE — (2,500) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $13,000)

"Mad Doctor" (Para.)
"The Monster and the Girl" (Para.)
"Monster and Girl" (Para.)
ROOSEVELT — (1,500) (35c-55c-75c) 7 days, 2nd week. Gross: $9,000. (Average, $11,000)

"Blondie Goes Latin" (Col.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Latin Quarter Revue. Gross: $17,000. (Average, $15,000)

"Andy Hardy's Private Secretary" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $11,000. (Average, $14,000)

Defense Sums Up In Schenck Case

The Government has failed to accept the defense challenge to produce one man who could say an evil word either of Joseph M. Schenck or Joseph H. Moskowitz, Harold H. Corbin, defense counsel, declared yesterday to the jury during summation of the Government income tax case.

Corbin took up each charge of misconduct made by the Government in an effort to prove that no wrongdoing had been committed by the defendents. His summation took the entire day. The Government will follow today, with a possibility that the case may go to the jury late this afternoon.

U. S. Attorney Mathias F. Correa had fixed the issue in this case to be the character of Schenck, Corbin said, and the defense had met it squarely by producing character witnesses who had testified voluntarily to Schenck's reputation for honesty and fairness.

"A man who works for 20 years and more with others building up a reputation for honesty and integrity does not disregard it overnight," Corbin declared. "Schenck didn't and couldn't stoop to try to beat the Government out of a nickel."

In lauding Schenck, Corbin said: "No one knows how much money Schenck spent on personal gifts and donations to friends and the needy. These are not deductible and cannot be shown, but they are tremendous." He struck at the Government for its conduct during the trial and its efforts "to hang the defendants," and strongly criticized the production of evidence which had nothing to do with the case itself.

London Review

"Love on the Dole"

(Anglo-American)

London, April 15

HERE is a picture which is both document and drama, and vividly real and intensely moving in both. That there will be some ready to doubt whether so squalid and gloomy a canvas of life, with its sociological message, enters the categories of entertainment it is clear, but the original play ran for years—and is still running.

Based on Walter Greenwood's novel and play, the film etches a merciless picture of working-class life in a depressed, pre-war Lancashire town, weaves a pattern of lives which depend on there being work to do, shows the job as the motive and the instrument of all existence. Central figures in this pattern are a family where a girl becomes a mother before she is married—where she has no home to bear her child—of another girl who forsakes the decent walks of life so that she can get her father and brother jobs.

It is deeply emotional stuff, set against a background in which the realistic treatment of working-class life is unexcelled, with the smoke-stacks and the pawnbrokers queues, the drops of illicit liquor and the unemployed riots, all the grisly but inescapable details filled in. As an essay in realistic atmosphere the film is superb. As emotional human drama no less.

The cast includes Deborah Kerr, a discovery well worth the effort—as the disenchanted mill girl, and others who neatly fit the pattern of of humanity. John Baxter's flair is for this brand of film—and this is probably his best job of direction. The technical qualities are beyond criticism.

Running time, 100 minutes. "A."* AUBREY FLANAGAN

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*"A" denotes adult classification.

'Strawberry Blonde' $4,600 in Cincinnati

CINCINNATI, April 15.—Despite the traditional Holy Week slump, "Strawberry Blonde" did a big $4,600 in its seventh at the RKO Lyric. A stage show helped "East of the River" to $11,000 at the RKO Shubert. The weather was unseasonably warm.

Estimated receipts for the week ending April 8-12:

"The Lady from Cheyenne" (Para.)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $10,400. (Average, $12,000)

"Adam Had Four Sons" (Col.)
RKO PALACE — (2,700) (33c-40c-50c) 6 days. Gross: $6,300. (Average, 7 days, $10,000)

"East of the River" (W. B.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "Stars Over Hollywood" Revue. Gross: $11,000. (Average, $10,000)

"The Lady Eve" (Para.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 3rd week. Gross: $4,100. (Average, $5,500)

"Buck Privates" (Univ.)
RKO GRAND — (1,450) (33c-40c-50c) 7 days. Return engagement. Gross: $4,300. (Average, $5,000)

"Strawberry Blonde" (W. B.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 7th week. Gross: $4,600. (Average, $4,500)

"Texas Ranger Rides Again" (Para.)
"Petticoat Politics" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)

"Meet the Chump" (Univ.)
"Murder Among Friends" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $900. (Average, $800)

"The Bad Man" (M-G-M)
KEITH'S — (1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,600. (Average, $5,000)

'Dictator' Draws $8,500 in Detroit

DETROIT, April 15.—The annual Holy Week slump was reflected in box-office receipts at all downtown theatres. The only bill to do better than average was "The Great Dictator" and "Father's Son" at the Palms with $8,500 in the fourth Detroit week.

Estimated receipts for the week ending April 10:

"Nice Girl?" (Univ.)
"Murder Over New York" (20th-Fox)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,500. (Average, $5,500)

"Western Union" (20th-Fox)
"Maisie Was a Lady" (M-G-M)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $7,000)

"Buck Privates" (Univ.)
"The Man Who Lost Himself" (Univ.)
FOX — (5,000) (20c-44c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)

"Lady Eve" (Para.)
"The Penalty" (M-G-M)
MICHIGAN — (4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $12,000. (Average, $12,000)

"The Great Dictator" (U. A.)
"Father's Son" (W. B.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days, 4th week. Gross: $8,500. (Average, $7,000)

"Andy Hardy's Private Secretary" (M-G-M)
"The Wild Man of Borneo" (M-G-M)
UNITED ARTISTS—(2,000) (20c-39c-44c-55c) 7 days. Gross: $10,000. (Average, $10,000)

"Fantasia" (Disney)
WILSON — (1,400) (50c-75c-$1.10-$1.65) 7 days, 7th week. Gross: $7,000. (Average, $10,000)

Standardize Sunday Operating Hours for London Film Theatres

London, April 15.—The London County Council has agreed to a revision of operating hours of London film houses on Sunday, standardizing the opening and closing times throughout the area.

The revision brings later shows during the Summer, with the elimination of afternoon performances. During April theatres open on Sundays at 3:30 P.M. and close at 9 P.M., in May, June and July, hours will be from 5 P.M. to 10:30 P.M., and in August and September from 4 P.M. to 9:30 P.M. The London and Home Counties Branch of the Cinematograph Exhibitors Association is seeking approval of an adjustment of weekday operating hours during the Summer.

'Knockout', Show $21,500 Philadelphia

PHILADELPHIA, April 15.—Holy Week business held up, the theatres getting a generous share of the shoppers crowding the stores. "Knoc[illegible]t," with Bill Robinson and J[illegible]ie Lunceford's orchestra, gave the Earle $21,500. "Men of Boys Town," at the Boyd, took $16,100.

Estimated receipts for the week ending April 9-11:

"Fantasia" (Disney)
ALDINE — (1,400) (50c-75c-86c-$1.14-$1.71) 7 days, 8th week. Gross: $7,300. (Average, $9,000)

"Mr. and Mrs. Smith" (RKO)
ARCADIA—(600) (35c-46c-57c) 5 days, 2nd week, 3rd run. Gross: $2,400. (Average, $2,600)

"Men of Boys Town" (M-G-M)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $16,100. (Average, $13,000)

"The Knockout" (W. B.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Bill Robinson, Jimmie Lunceford's orchestra, Jimmy Young, Willie Smith, and the Miller Bros. & Lois. Gross: $21,500. (Average, $14,000)

"Dead Men Tell" (20th-Fox)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Kay Fears, Hoo Shee, Irene O'Dare, Ashley & Clayton, Billy Branch & Co., and Foy Large & Frank Morganer. Gross: $5,800. (Average, $6,900)

"Buck Privates" (Univ.)
FOX—(3,000) (35c-41c-46c-57c-68c) 6 days, 2nd week. Gross: $9,500. (Average, $13,000)

"The Lady Eve" (Para.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd week, 2nd run. Gross: $4,500. (Average, $3,000)

"Strawberry Blonde" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,300. (Average, $4,500)

"Nice Girl" (Univ.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $12,000. (Average, $14,000)

"The Great Dictator" (U. A.)
STANTON—(1,700) (35c-41c-46c-57c-68c) 7 days, 5th week. Gross: $7,500. (Average, $4,500)

'Gob' Is St. Louis Winner at $4,700

ST. LOUIS, April 15.—"A Girl, a Guy and a Gob" and "The Lady Eve" drew $4,700 at the Missouri in a slow week. "Topper Returns" and "The Bad Man" took $11,000 at Loew's State.

Estimated receipts for the week ending April 10:

"Topper Retunrs" (U. A.)
"The Bad Man" (M-G-M)
LOEW'S STATE — (3,162) (28c-39c-44c-56c) 7 days. Gross: $11,000. (Average, $13,000)

"Sis Hopkins" (Rep.)
FOX—(5,038) (30c-40c-50c) 6 days. Gross: $6,000. (Average, 7 days, $11,000)

"That Night in Rio" (20th-Fox)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $10,500. (Average, $11,500)

"A Girl, A Guy and A Gob" (RKO)
"The Lady Eve" (Para.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $4,700. (Average, $4,000)

"Mr. Dynamite" (Univ.)
"Double Date" (Univ.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,800. (Average, $2,600)

Disney and Guild Continue Parleys

HOLLYWOOD, April 15.—Representatives of the Walt Disney studio and the Screen Cartoonists Guild today agreed to continue conferences on the question of recognition of the Guild as the studio employes' bargaining agency. Attending today's meeting was the same group as at previous sessions.

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Schenck Guilty On Two Counts Moskowitz One

Appeal Will Be Taken At Once by Counsel

Instant appeal is to be taken by counsel for Joseph M. Schenck and Joseph H. Moskowitz from the verdict of the jury in the Federal tax evasion case in which they are involved, it was stated immediately after the verdict was reported early this morning.

"We'll work this out, somehow," Attorney Harold Corbin, chief counsel for the defense, was heard to say to Schenck.

Joseph M. Schenck was found guilty of Federal tax evasion on counts involving 1935 and 1936 and Joseph H. Moskowitz, assistant to Schenck, was found guilty of the same charge, on a count involving 1936, by a jury in the U. S. District Court before Judge Grover M. Moscowitz, and both were acquitted of evasion charges originating from returns in 1937, and also on charges of conspiracy to defraud the Government. The verdict was reached shortly before 2:30 A.M. today.

By agreement of counsel, a motion by defense attorneys to set the verdict aside and pronouncement of sentence were deferred until 2 P.M., April 24. The jury was out 10 hours.

The maximum penalties on the charges on which Schenck and Moskowitz were found guilty are five years imprisonment or $10,000 fine, or both.

Present in court throughout the day and until the jury handed up its verdict were friends and associates of Schenck and Moskowitz. Among these were Mr. and Mrs. Nicholas M. Schenck, David Bernstein, Leopold Friedman, Charles Moskowitz, Marvin Schenck, William Philips, Sid Grauman, Bert Nayfack, Archie Weltman, Ed Churchill, Gene Picker, Gene Fowler and Joseph Pincus.

The jury in its long deliberations on several occasions asked for added instructions from the judge. The jury retired to deliberate at 4:25 P.M. yesterday.

It was 3 A.M. when most of those who were in attendance at the court room left the Federal Building. With their friends and associates, Schenck and Moskowitz repaired to the latter's hotel, where they were joined by Sidney R. Kent, who throughout the night kept closely informed of events.

Producer-Exhibitor Forum Will Feature Variety Club Affair

Atlantic City, April 16.—A producer-exhibitor forum will be an outstanding feature of the three-day seventh annual National Variety Club Convention, to be held at the Traymore Hotel here May 15-17.

The forum, to be held from 2 to 5 P.M. on Thursday, May 15, will follow registration of delegates in the morning and boat rides and fishing parties at noon, according to the final convention program. Leaders in exhibition, both independent and circuit operators, together with producer representatives, will attend the forum, when the latter will answer the questions of the theatre men.

From 5 to 8 P.M. on Thursday, the opening day, sightseeing and private dinner parties will hold the stage, with a boxing and wrestling show to be held at 8 P.M. at the Auditorium, under the supervision of Leon Rains, Pennsylvania Boxing Commissioner.

On Friday, May 16, the business session of the Variety Clubs of America will be held, running from 10 A.M. to 5 P.M., with a two-hour break for luncheon from noon to 2 P.M. The session will be held in the Grand Ball-

(*Continued on page 4*)

RKO Meeting May Be in N.Y. in June

Hollywood, April 16.—RKO will have a national sales convention, probably in New York about the middle of June, it was indicated here today by officials of the company. This is according to present plans. George J. Schaefer, president, expects to remain here for some time, it is understood.

Wilmington Houses Open This Sunday

Wilmington, April 16. — All of Wilmington's 12 film houses will be open next Sunday for the first time since the recent repeal by the legislature of the state's Sunday Blue Laws. The law was enacted more than a month ago, but the theatres delayed opening to obtain suitable films.

The opening hours are limited by the law from noon to 6 P.M. and from 8 P.M. to midnight. In practically all cases, two performances of each feature will be shown afternoon and evening, although dual bill houses will show each feature only twice during the day. First run houses will show their current attractions, while most second run and neighborhood spots will begin new attractions on Sunday.

Cohen to Ask MPTOA Stand On Axis Films; ITOA to Act

Max A. Cohen, president of Allied Theatre Owners of New York, and member of the board of directors of M.P.T.O.A., yesterday informed Ed Kuykendall, president of the national organization, that he would carry the question of foreign films to the floor of the M.P.T.O.A. annual convention to be held in Los Angeles, June 9 to 12.

Kuykendall, it is asserted, approved Cohen's intentions regarding the matter and the issuance of a statement by Cohen. The statement follows:

"The continued exhibition in this country of German and Italian motion pictures is deplored. We hope that the Government will find means by which to exclude pictures from the totalitarian countries, since the principal purpose underlying such pictures is propaganda contrary to American democratic ideals.

"It is expected that the question of foreign films will be among the subjects which will be discussed at the M.P.T.O.A. convention in Los Angeles

(*Continued on page 5*)

The total banning of German and Italian films from this country will be asked of the Government in a resolution which will be presented to a membership meeting of the New York Independent Theatre Owners Association at the Hotel Astor next Wednesday, it was stated in a press release issued yesterday by the organization.

The I.T.O.A. statement said that a poll of its members showed that the resolution would be adopted unanimously.

Columbia Arranges Loan of $3,000,000

Columbia has completed arrangements for a maximum credit of $3,000,000 with three banks, $1,000,000 of which has been borrowed to be used for retirement of the company's $1,000,000 principal amount of six-year 4¼ per cent sinking fund debentures. The sum was borrowed under a credit agreement recently with several banks.

Report Nazis Take Majors' Paris Offices

Also Said Bank Accounts Will Be Blocked

Cabled reports from Vichy yesterday that German authorities had taken possession of American film company offices in Paris were the first word of such a development to reach home offices.

The reports, carried by the Associated Press, were attributed to a "representative of Films Paramount," French subsidiary of Paramount Pictures, and related that all film company employes had been told to leave their offices. It was further reported that the Germans "planned to block the bank accounts" of the film companies and eventually to use their facilities for distribution of propaganda films.

John W. Hicks, Paramount vice-president and head of the foreign department, said that he had not been advised that the company's Paris office had been seized and that he knew no more about the reported occurrences than what was contained in the news dispatches. In the event the seizures are verified, he said, Paramount would undoubtedly protest to the State Department.

Joseph H. Seidelman, vice-president and foreign manager of Universal, said that his company's Paris office had been requisitioned by the Germans two months ago. Subsequently, the company entered a claim for office furnishings and fixtures and was reimbursed, Seidelman said. Universal has had no office in Paris since, he said.

5-Minute Pittsburgh Blackout Tomorrow

Pittsburgh, April 16. — A city-wide blackout of five minutes is planned for Friday night, in an hour-long "demonstration air raid" conducted by the Army.

Traffic will be stopped, and street lights, store signs and theatre marquee lights will be extinguished. Interior home and building lighting will be unaffected. Streets will be patrolled by fire trucks and police cars, with sirens sounding during the blackout period.

Coast Flashes

Hollywood, April 16

REPUBLIC today suspended Judy Canova indefinitely after three weeks of dispute. According to the studio, the star wanted to exercise story supervision and choice of directors and cast, although these provisions are not in her contract. It is understood that Miss Canova wanted these conditions to apply to "Puddin' Head," which was to have started next Monday.

•

Katharine Brown, Eastern story editor for David O. Selznick, arrived today from New York to confer with Selznick on production plans.

•

Steve Broidy, Monogram general sales manager, will leave Friday by plane for Chicago to preside at a regional sales meeting at the Congress Hotel Saturday and Sunday.

•

Walter P. Spreckels, N.L.R.B. regional director, who has handled film cases, today submitted his resignation to Washington, effective as soon as a successor is appointed. Spreckels will become a private labor relations consultant.

Proser's Garden Deal On Percentage Basis

Monte Proser's deal with Madison Square Garden for a Summer dance hall in the bowl of the garden is on a percentage basis. Dan Arnstein, head of the Terminal Taxicab Co., was instrumental in arranging the Proser deal. Proser came into the deal through Arnstein and the latter will be associated with Proser in the transaction.

It is a three-months deal and if it doesn't click, the Garden has the right to cancel. It is presently reported that Proser plans to employ Benny Goodman, Jimmy Dorsey and Xavier Cugat as the three bands to start off the dance hall. Milton Blackstone of the Blackstone advertising agency is another associate of Proser in the deal. The money is coming from outside sources.

Films Not Affected By Iowa Session

DES MOINES, April 16.—The Iowa legislature has adjourned without passing any bills that seriously affect the motion picture industry. The House passed an admission tax bill, with motion picture theatres exempt, and a bill to tax pin ball machines and music boxes, but none of these bills got out of the sifting committees or were passed by the Senate.

One bill that the theatre men had opposed, that authorized use of school houses for community recreation and amusements, passed both houses and a bill that they sponsored, a theatre construction fire regulation measure, failed of passage.

First Ball Game Hits Cincinnati Grosses

CINCINNATI, April 16.—Theatre business suffered appreciably by the opening of the baseball season here yesterday, with an estimated 38,000 spectators in attendance. Business generally was suspended to a certain extent throughout the city.

Personal Mention

HOWARD DIETZ has returned from a Coast visit.

•

A-MIKE VOGEL, chairman of the Managers' Round Table of *Motion Picture Herald,* has left for Miami where his mother is ill.

•

JOSEPH BERNHARD, ROBERT BENJAMIN, LEE SHUBERT, AL ALTMAN and SIDNEY PHILLIPS lunching at Sardi's yesterday.

•

MR. and MRS. JOHN MORONEY are in town from Dallas.

•

PAUL GENKIN, assistant manager of the Casino, Philadelphia, and PEARL ROSENFELD will be married on June 14.

•

RALPH PASHO, operator of the Gem, Naugatuck, Conn., has returned from a visit to Detroit.

•

ANN ROSE, of Paramount's Des Moines exchange and TED GROVES will be married May 3.

•

ARTHUR F. SMITH, Mayor of Newtown, Conn., and manager of the Edmond Town Hall there, has returned from Florida with MRS. SMITH.

•

RUTH CARRIGAN, secretary at the National Theatre Supply Co. office in St. Louis, and CLARENCE KAIMANN, JR., manager of the Lowell Theatre there, have become engaged.

WILL H. HAYS is scheduled to arrive from the Coast on Monday.

•

PERRY CHARLES of M-G-M's publicity department yesterday celebrated his 20th wedding anniversary.

•

J. BURGI CONTNER has returned from Florida.

•

ROBERT WOLFF, MARVIN SCHENCK, EUGENE PICKER and WILLIAM MOSES at Lindy's (next to the Rivoli) for lunch yesterday.

•

J. J. UNGER, MAX A. COHEN, EMANUEL SILVERSTONE, CHARLES E. McCARTHY, MORRIS KINZLER, BARNEY BALABAN, E. K. O'SHEA, EDMUND C. GRAINGER, SAM SHAIN, PAUL RAIBOURN and SOL BORNSTEIN at Nick's Hunting Room in the Astor yesterday for lunch.

•

ALAN FREEDMAN, EDWARD KEARNS, CHARLES PAINE, LOU POLLOCK, BEN JENNINGS, WILLIAM FITELSON and ARTHUR LEE having lunch yesterday at the Tavern.

•

DAVID GRIESDORF, MARTIN MOSKOWITZ, JACK GOETZ, ABE SCHNEIDER and ARTHUR GOTTLIEB lunching at Lindy's (51st St.) yesterday.

•

VINCENT DUNFEY, student assistant at Loew's State, Providence, has been transferred to Kansas City.

Mexico City Easter Business Rise 20%

MEXICO CITY, April 16.—Exhibitors here enjoyed 20 per cent better business this Easter Week than last year. Several theatres presented religious theme films during the week, which attracted more patrons. There were a large number of American visitors here during Easter and the railroads, which ran low-rate excursions, brought in great numbers of persons from the provinces.

Robbins Wins Point; Deny Casanave Plea

N. Y. Supreme Court Justice Carroll G. Walter yesterday refused to restrain Herman Robbins from proceeding with his New York action against Charles L. Casanave. The defendant, who is a plaintiff in a counter-suit against Robbins in the Westchester County Supreme Court, had sought this restraining order pending the termination of his application to consolidate both suits.

Struck Theatre Reopens

ST. LOUIS, April 16. — The Powhatan Theatre, closed for seven months because of a dispute between the management and the stagehands' union, has reopened. Mrs. Bess Schulter, owner, acceded to the demands of the stagehands' union that she employe a stagehand at $78 a week.

New Pact to Johnson

HOLLYWOOD, April 16.—Julian Johnson, head of the 20th Century-Fox studio story department since 1932, has been given a new one-year contract.

'Kane' N. Y. Opening At RKO Palace May 1

New York opening of "Citizen Kane" at the RKO Palace on Broadway has been definitely set for May 1. An earlier plan to run the picture simultaneously in a second theatre has been abandoned due to the lack of availability of a suitable house.

Two-theatre showings will be held in Chicago and Los Angeles, where the picture will open May 6 and May 8, respectively, as previously reported. All showings will be at advanced admissions and reserved seat policy.

Depinet to Address Ampa Lunch Today

Ned E. Depinet, vice-president in charge of distribution for RKO, will be the principal speaker at the luncheon meeting of the Ampa today at the Hotel Edison. H. M. Richey, in charge of exhibitor relations for M-G-M, will introduce Depinet.

Sell Worcester Property

WORCESTER, MASS., April 16.—Sale of the Loew-Poli Plaza Theatre Building to the F. W. Woolworth interests is expected to be consummated this week. The property is valued at $389,000. The Plaza was S. Z. Poli's first theatre in Worcester. Robert Portle is the manager.

Local Pride Premiere

BUTTE, Mont., April 16.—William Woolfall, manager of the Montana here, announced today that his theatre will have the regional premiere of "Meet John Doe," which stars Montana's best known native, Gary Cooper. The film opens Saturday.

Tax Mexico Tickets To Finance Hospital

Mexico City, April 16.—A special tax of one to two cents, depending upon the price, on all theatre tickets throughout Mexico has been decreed for the week starting April 19 to raise $14,250 for the national fund that is being collected to establish a hospital here for incurables.

Solidad Avila Cama[illegible] wife of the President of M[illegible]ico, is chairwoman of the committee in charge of raising the fund.

U. A. Officials Give Pressburger Party

United Artists was host yesterday at a luncheon at the Waldorf-Astoria for Arnold Pressburger, recently affiliated with U. A. as a producer. Other guests were Geza Herzig, who wrote the screenplay of "The Shanghai Gesture," which Pressburger will produce, and their associates, Albert de Courville, Theodore Baumfeld and George Burroughs.

All will leave for Hollywood tomorrow, with the exception of Burroughs, who is associated with the Guaranty Trust Co., which is participating in the financing of Pressburger's production company.

Pressburger said he hopes to obtain Barbara Stanwyck, Hedy LeMarr or another top-flight star for the leading role, and Tay Garnett or Anatole Litvak to direct. Shooting is scheduled to start July 1. The veteran European producer has a long-term releasing deal with United Artists but has made no plans beyond his first picture.

The film script for "Shanghai Gesture" is about 75 per cent original material, according to Herzig, the addition of which was necessary to obtain Production Code Administration approval.

United Artists officials at the luncheon included Arthur W. Kelly, Harry Gold, Haskell Masters, James Mulvey, Harry Buckley, Paul Lazarus, Walter Gould, Monroe Greenthal, David Weshner, Al Margolies and Leo Pillot.

Trade press representatives were also guests at the luncheon.

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THE GREAT TRUTH *about* "THE GREAT LIE":

Against any and all opposition the major share of Easter receipts is going to the houses playing this new Bette Davis smash of WARNERS!

BETTE DAVIS
in
'THE GREAT LIE'
with
GEORGE BRENT
MARY ASTOR
Lucile Watson • Hattie McDaniel
Directed by EDMUND GOULDING
Screen Play by Lenore Coffee • From a Novel by
Polan Banks • Music by Max Steiner

Television Is Still Remote, Gell Asserts

Attainment of a self-supporting position by television is as remote today as it was two years ago, in the opinion of William Gell, managing director of Pathe Pictures, Ltd., of London, who prior to the war was interested in Scophony Television in England.

Gell regards the maintenance of good program standards as the most difficult problem confronting television. The novelty of the new medium will not attract sponsors or sell receiving sets in any significant commercial volume, he believes, so that quality programs will have to be offered and maintained from the start.

Source material for such programs, within reasonable cost range, is very limited, according to British television experience. Motion pictures appear to be the most practicable program material for television, but the availability of quality films always was a problem in England because of the unwillingness of motion picture companies to become identified with a medium in competition with the theatre.

Gell believes that the same problem will have to be met here and foresees no prospect of television being able to finance large-scale production of its own quality motion pictures.

Gell said that demonstrations of television he has viewed during his current New York stay have been "unimpressive" and gave evidence of little or no improvement over the status of British television at the time it was discontinued by Government order immediately following the outbreak of the war.

'Penalty', Dorsey $24,000 in Capital

WASHINGTON, April 16. — With Tommy Dorsey and his orchestra on the stage, and "The Penalty" on the screen, Loew's Capitol took a strong $24,000. Business was good generally, with the onset of the annual Easter tourist influx.

Estimated receipts for the week ending April 9-10:

"A Girl, A Guy and A Gob" (RKO)
WARNER'S EARLE — (2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Martha Raye, Three Swifts, Christianis, Will and Gladys Ahearn, Jim and Mildred Mulcay. Gross: $17,500. (Average, $15,000)

"Men of Boys Town" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $15,000. (Average, $15,000)

"Nice Girl?" (Univ.)
RKO-KEITH'S—(1,834) (39c-55c) 7 days, 3rd week. Gross: $7,000. (Average, $6,000)

"The Penalty" (M-G-M)
LOEW'S CAPITOL—(3-434) (28c-39c-55c-66c-77c) 7 days. On stage: Tommy Dorsey and his orchestra, with Frank Sinatra, Connie Haines, Buddy Rich, Ziggy Elman and Pied Pipers. Gross: $24,000. (Average, $15,500)

"Rebecca" (U. A.)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, revival. Gross: $4,000. (Average, $4,000)

"Convoy" (RKO)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days. Gross: $5,500. (Average, $4,500)

Critics' Quotes . . .

"THE DEVIL AND MISS JONES" (RKO)

One of the finest and wittiest entertainments to come from Hollywood in a long time . . . we suggest—nay, urge—our readers to put it first on the week's list of playgoing necessities.—*Gilbert Kanour, Baltimore Evening Sun.*

Hilarious is the word for "The Devil and Miss Jones." . . . Anybody who doesn't enjoy it should be made to stay home and listen to the radio for the remainder of 1941.—*Donald Kirkley, Baltimore Morning Sun.*

"ROAD TO ZANZIBAR" (Paramount)

The stars' gags, plus Dorothy Lamour's allure and Una Merkel's and Eric Blore's assistance, are producing something of a riot at the Paramount.—*Kate Cameron, New York Daily News.*

Mostly nonsense, but it is nonsense of the most delightful sort.—*Howard Barnes, New York Herald Tribune.*

I don't ever remember seeing an audience break up and slowly dissolve in laughter, like the one at the Paramount did.—*Lee Mortimer, New York Daily Mirror.*

A hit picture . . . consistent fun.—*Cecelia Ager, PM (New York).*

Take our word for it, films simply do not come any funnier than "Road to Zanzibar."—*Doris Arden, Chicago Daily Times.*

You could hardly hear the lines for the laughs as Bob Hope and Bing Crosby capered along the "Road to Zanzibar."—*Mildred Martin, Philadelphia Inquirer.*

The new film is as funny—and often funnier—than "Road to Singapore."—*Elsie Finn, Philadelphia Record.*

It's hard to remember a comedy in which the fun was so continuous.—*Newark Evening News.*

It's the jungle picture to end all jungle pictures. It has very little plot but plenty of wacky Hope-Crosby routines.—*Jesse Allen, Newark Star Ledger.*

"THE GREAT LIE" (Warners)

Even Miss Davis with all her wit, cannot make anything reasonable out of the curious conglomeration of emotional situations arranged for her in "The Great Lie."—*The New Yorker.*

Designed to please the all-powerful legion of moviegoers, "The Great Lie" is bound to be one of the big box-office magnets of the year.—*Donald Kirkley, Baltimore Morning Sun.*

It will very likely hold your interest taut from beginning until end.—*Gilbert Kanour, Baltimore Evening Sun.*

While it isn't one of Miss Davis' important vehicles, it has its good points, among which are the fine performances of the star and Mary Astor.—*Kate Cameron, New York Daily News.*

It has some amusing sequences and rises above the pedestrian whenever Miss Davis is given a chance to do those things which she does so well, but, unfortunately, not often enough here.—*Lee Mortimer, New York Daily Mirror.*

Easily one of the strongest features aimed at the audience of women offered this season.—*Edwin Schallert, Los Angeles Times.*

Credit goes to Hal B. Wallis, executive producer, and Henry Blanke, associate producer, for giving us "The Great Lie."—*Louella O. Parsons, Los Angeles Examiner.*

"A GIRL, A GUY AND A GOB" (Harold Lloyd-RKO)

It is not the greatest comedy of the season, mind you, but a bit of froth zany enough to brighten any evening.—*Harry MacArthur, Washington Star.*

Far from subtle entertainment, nor has the story a very heavy framework, but it's good for many a laugh and that, after all, is what attracts all of us today.—*Luvie Pearson, Washington Times-Herald.*

With "Buck Privates," for which we also went overboard, "AGAGAAG" tops the season's fun films.—*Leo Miller, Bridgeport Herald.*

Unpretentious and simply tricked out, "A Girl, a Guy and a Gob" is relaxing and amusing.—*Boston Daily Globe.*

A pleasantly loony and bright comedy that has a good deal of the coltish friendliness of the films in which Harold Lloyd used to star as well as some of their athleticism.—*Morris Hastings, Boston Transcript.*

Built strictly for laughs, and they fall at an incredible rate of speed.—*Helen Eager, Boston Traveler.*

"MEN OF BOYS TOWN" (M-G-M)

"Boys Town" was one of the best pictures of 1939. The new version with Tracy and Micky Rooney again in the star spots, is every bit as inspirational and as intensely moving.—*Dorothy Manners, Los Angeles Examiner.*

As far as theatrical entertainment is concerned, the film is often a maudlin bore.—*Gilbert Kanour, Baltimore Evening Sun.*

It has its simple and sincere moments and Spencer Tracy is again most impressive as the kind-hearted priest, but the picture is largely a sentimental tear-jerker, that "lays it on thick," as the saying goes.—*Norman Clerk, Baltimore News Post.*

It has moments of genuine laughter, of tears and of food for thought. But it isn't great.—*Don Craig, Washington Daily News.*

Not up to the high standard set by the production of "Boys Town."—*Kate Cameron, New York Daily News.*

Has all the ingredients of a box-office smash, said ingredients being Mickey Rooney, Spencer Tracy and a profoundly sentimental tear-jerking theme, sympathetically handled.—*Lee Mortimer, New York Daily Mirror.*

Even with such shrewd actors as Spencer Tracy and Mickey Rooney bearing the brunt of the performing again, it never achieves much meaning or feeling.—*Howard Barnes, New York Herald Tribune.*

Producer - Exhibitor Forum Will Feature Variety Club Affair

(*Continued from page 1*)

room of the Traymore, when the delegates and local civic leaders will hear the reports of the various tents on their charitable activities of the past year and their plans for this year. Also, the winners of two atten[illegible]ce trophies will be determined, a[illegible]tional officers for next year wi[illegible] elected.

At 7:30 o'clock Friday night will be held the Variety Club Night of Nights in the Westminster Room of the Hotel Chelsea. It will start with an elaborate buffet supper, and a special show will be feature of the evening, arranged by Harry Mayer. Robert J. O'Donnell of Dallas will run the Calcutta Pool, auctioning off the players for the National Variety Clubs Golf Tournament of Champions to be held the following morning.

Final Day's Entertainment

From 8 A.M. to noon on Saturday, the final day, the golf tournament will occupy the delegates, with numerous prizes for winners in the various divisions. A boardwalk parade will be held from noon to 2 P.M., with club units in appropriate costume. The parade will terminate at the Atlantic City Auditorium. From 2 to 4 P.M. a professional circus will take place in the Auditorium, with institutional children and other local youngsters admitted free. The circus will be presented a second time at 8 P.M., with the admission proceeds going to local charities and the National Variety Charity Fund.

United Artists will be host at a cocktail party Saturday afternoon from 4 to 6:30 o'clock. This will be the only event sponsored by a major company.

At 7:30 P.M. on Saturday the final banquet will be held in the Grand Ballroom of the Traymore. Officials from Washington, major company executives, circuit operators and stars of screen, stage and radio are expected to attend. Highlight of the banquet will be the presentation of the annual Humanitarian Award, won last year by Martha Berry and the year before by Father Flanagan of Boys Town.

Minneapolis Gives $9,000 to 'Hardy'

MINNEAPOLIS, April 16. — Grosses here remained generally above average during Holy week, the State pulling $9,000 with "Andy Hardy's Private Secretary."

Estimated receipts for the week ending April 11:

"Gone With the Wind" (M-G-M)
CENTURY—(1,600) (28c-39c-55c) 7 days, 4th week. Gross: $4,500. (Average, $4,000)

"Buck Privates" (Univ.)
GOPHER—(998) (28c) 7 days, 4th week. Gross: $4,200. (Average, $2,500)

"Footsteps in the Dark" (W. B.)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. Gross: $5,600. (Average, $5,500)

"Andy Hardy's Private Secretary" (M-G-M)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $9,000. (Average, $6,000)

"Golden Hoofs" (20th-Fox) 5 days
"Meet Boston Blackie" (Col.) 5 days
"Great Mr. Nobody" (W. B.) 2 days
"Invisible Woman" (Univ.) 2 days
ASTER—(900) (15c-28c) 7 days. Gross: $2,400. (Average, $1,800)

"The Lady Eve" (Para.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $3,000. (Average, $1,600)

'Girl, Guy and Gob' Leads Providence With $7,000 Gross

PROVIDENCE, April 16.—"A Girl, a Guy and a Gob," paired with the reissue, "Vivacious Lady," gave the RKO Albee $7,000, and a stage show plus "Secrets of a Model" were good for $7,000 in three days at the Met, but business elsewhere during Holy Week was off.

Estimated receipts for the week ending April 9-10:

"A Girl, A Guy and A Gob" (RKO)
"Vivacious Lady" (RKO)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days. Gross: $7,000. (Average, $6,000)
"Topper Returns" (U. A.)
"Trial of Mary Dugan" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $9,000. (Average, $11,000)
"That Night in Rio" (20th-Fox)
"A Shot In the Dark" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $5,900. (Average, $7,000)
"Las Vegas Nights" (Para.)
"The Great Plane Robbery" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,500. (Average, $6,000)
"Secrets of a Model" (Time Pictures)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with "Crazy Show of 1941" featuring Milt Britton and orchestra, Fifi D'Orsay, the Diamond Brothers, Lois Andrew. Gross: $7,000. (Average, $4,700)
"In Old Cheyenne" (Rep.)
FAY'S—(1,800) (33c-39c-44c) 7 days. Stage show with "Barn Dance Frolics" featuring Ezra Stebbins, Town Hall Orkestry and Farmers Daughters. Gross: $4,200. (Average, $5,000)
"Meet John Doe" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 6 days, 3rd week. Gross: $1,800. (Average, $3,500)
"Come Live With Me" (M-G-M) (3 days)
"Blondie Goes Latin" (Col.) (3 days)
"Virginia" (Para.) (4 days)
"Murder Among Friends" (20th-Fox) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,400. (Average, $1,700)

Suggest Mexican Price Regulation

MEXICO CITY, April 16.—A Congressional committee, headed by Luis Velasco, has suggested to the Mexican Congress that a law be enacted regulating film theatre admission prices.

The committee, which has been investigating alleged excess charges by exhibitors, has asserted that distributors are chiefly responsible for the high prices, and that their charges for films are out of proportion to values and conditions.

Sues Over 'Mayerling'

John Davis Lodge yesterday filed suit in N. Y. Supreme Court against Leo Films, Inc., for an accounting and to examine the defendant's books to determine the number of bookings made on "Mayerling to Sarajevo." Lodge, an actor who played in the film, claims 10 per cent of all money earned under an alleged agreement.

Dismiss Columbia Suit

N. Y. Supreme Court Justice Aaron J. Levy yesterday dismissed the plagiarism suit of Ferdinand Voteur against Columbia Pictures after trial, ruling that Voteur had failed to prove infringement of his play, "Resurrection Morning," in "The Man Who Lived Twice."

Newkirk Leaves Loew's

CLEVELAND, April 16.—John G. Newkirk, for the last eight years manager of Loew's Granada here, has ended 11 years with Loew's to go with Scovill, Essick & Reif to manage their Beach Cliff Theatre in Rocky River.

Cohen to Ask MPTOA Stand On Axis Films; ITOA to Act

(*Continued from page* 1)

from June 9 to 12, inclusive.

"At the present, whereas all American films are banned in Germany and Italy, German and Italian films are permitted entry into the United States without restriction. Even were American films to be shown in the totalitarian countries, remittances from those countries are forbidden, while the remittances from the German and Italian films in the United States can be exported. The M.P.T.O.A. is on record that for the purpose of an all-out defense measure we should find means to exclude totalitarian propaganda films.

"It is no secret that the motion picture industries in the totalitarian countries are government-controlled, and that nothing can be produced except as dictated by government authorities, and that motion picture films exported from these countries under the guise of entertainment are really nothing more than straight propaganda films for these totalitarian regimes."

Mexico Improving Programs on XEAX

MEXICO CITY, April 16.—The Ministry of the Interior plans to enlarge and improve its local radio station, XEAX. New foreign programs are to be designed to improve Pan-American relations and will feature, besides news bulletins and general information about Mexico, selected music, songs and literary talks depicting this country. The new station is to have long and short wave, and is expected to be in service next month.

Halt Nazi Reels in Mexican Theatre

Mexico City, April 16.— Directors of the local German Casino have decided to suspend the public exhibitions they had been giving in the theatre of Nazi newsreels, mostly UFA productions. The exhibitions were held once a week. No explanation of the decision was given.

Kansas City Slow; 'Hoofs' Gets $5,500

KANSAS CITY, April 16.—"Golden Hoofs" and a stage appearance of Edith Rogers Dahl at the Tower, drew $5,500 in a week of generally poor business at local houses. The weather was cloudy with rain much of the time.

Estimated receipts for the week ending April 8-9:

"Convoy" (RKO)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $2,000. (Average, $2,200)
"Topper Returns" (U. A.)
"Rage in Heaven" (M-G-M)
MIDLAND — (4,000) (28c-44c) 7 days. Gross: $6,500. (Average, $9,500)
"The Lady Eve" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
"A Girl, A Guy and A Gob" (RKO)
"Vivacious Lady" (RKO)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $4,000. (Average, $5,000)
"Golden Hoofs" (20th-Fox)
TOWER — (2,200) (30c) 7 days. Edith Rogers Dahl on stage. Gross: $5,500. (Average, $6,000)
"The Great Commandment" (20th-Fox)
UPTOWN — (2,000) (28c-44c) 7 days. Gross: $2,500. (Average, $3,000)

Newark Houses Reverse Foreign Picture Bookings

By ALAN BRANIGAN

NEWARK, N. J., April 16.—An ironical situation has cropped up here, creating a good deal of comment among theatre men. Loew's State, where William Phillips is manager, has boked "The Baker's Wife" to team with "Come Live with Me" beginning tomorrow. This will be the first appearance at the theatre of a foreign language film and the audience reaction is considered doubtful.

On the other hand, the Little Theatre, where Sidney Franklin has been showing European films, has reverted to Hollywood output for the next booking. Opening Friday will be the "Charlie Chaplin Festival," which has been playing at New York's Fifth Avenue Playhouse. Neither Phillips nor Franklin will say how long the experiment will last.

Otherwise Newark is undergoing a siege of holdovers. Opening strong with the holiday, RKO Proctor's will continue "That Night in Rio" for another week, pairing it with "Scotland Yard." The Paramount-Newark has "Road to Zanzibar," playing single, a comparatively rare event in this double feature stronghold. Also first run, beginning today, is "The Great Lie," showing with "Meet the Chump" at Warners' Branford Theatre.

Australia to Allow $2,300,000 in Year

Major distributors have been notified officially that they will be permitted to withdraw a total of $2,300,000 from Australia during the current year. The sum does not include remittances from New Zealand.

Last year, the companies were authorized to withdraw $3,500,000 from both Australia and New Zealand. During the negotiations for a new remittance agreement the companies had asked for a minimum of $2,500,000 and at one time had been offered $2,000,000 by Australia.

Final apportionment of last year's $3,500,000 has not yet been made by the eight major companies among themselves.

Takes Kansas Theatre

KANSAS CITY, April 16.—Marvin Bank, who recently acquired the Avon, Hillsboro, Kan., will shortly take over the Cozy, Humboldt, Kan. The Cozy was being operated by C. A. Bessier.

'Hardy' $7,000, 'Bad Man' $16,000 Top Week in Pittsburgh

PITTSBURGH, April 16. — "Andy Hardy's Private Secretary" in its second week at the Warner with $7,000 led the city in an otherwise dull Holy Week. "The Bad Man" with Blackstone on the stage drew $16,000 for the Stanley. Starting the new week, theatres remained closed until 2 P.M. on Good Friday.

Estimated receipts for the week ending April 10:

"Fantasia" (Disney)
FULTON — (1,700) (50c-75c-$1.10-$1.65) 7 days, 6th week. Gross: $4,500. (Average, $5,000)
"Topper Returns" (U. A.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $9,000. (Average, $13,000)
"Tall, Dark and Handsome" (20th-Fox)
"Golden Hoofs" (20th-Fox)
"Adam Had Four Sons" (Col.)
SENATOR—(1,900) (28c-39c-55c) 7 days. Split week. Gross: $4,500. (Average, $5,000)
"Vivacious Lady" (RKO)
"Knockout" (W. B.)
RITZ — (800) (28c-44c) 7 days. Gross: $2,500. (Average, $4,000)
"The Bad Man" (M-G-M)
STANLEY—(3,600) (28c-44c-66c) 7 days. On stage: Blackstone and troupe. Gross: $16,000. (Average, $18,000)
"Andy Hardy's Private Secretary" (M-G-M)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $5,000)

'Bad Man' Takes $8,800 in Buffalo

BUFFALO, April 16. — "The Bad Man" and "Scotland Yard" were best here with $8,800 at the Great Lakes. Summer-like weather held down grosses generally, but "Buck Privates" in the fourth week at the Lafayette drew $4,900.

Estimated receipts for the week ending April 12:

"Topper Returns" (U. A.)
"Rage in Heaven" (M-G-M)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $9,300. (Average, $12,000)
"The Bad Man" (M-G-M)
"Scotland Yard" (20th-Fox)
GREAT LAKES—(3,000) (30c-55c) 7 days. Gross: $8,800. (Average, $7,500)
"The Mad Doctor" (Para.)
"The Monster and the Girl" (Para.)
HIPPODROME—(2,100) (30c-50c) 7 days. Gross: $5,200. (Average, $6,800)
"Honeymoon for Three" (W. B.)
"Father's Son" (W. B.)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $7,400. (Average, $7,500)
"Buck Privates" (Univ.)
"Where Did You Get That Girl?" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days, "Privates" 4th week. Gross: $4,900. (Average, $6,300)

'Zanzibar' $10,500 Tops Indianapolis

INDIANAPOLIS, April 16.—"Road to Zanzibar" cleared the Holy Week hurdle to do $10,500 at the Indiana. "That Night in Rio" and "Scotland Yard" brought the Circle $7,400.

Estimated receipts for the week ending April 11:

"That Night in Rio" (20th-Fox)
"Scotland Yard" (20th-Fox)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $7,400. (Average, $6,000)
"Road to Zanzibar" (Para.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $10,500. (Average, $6,000)
"Topper Returns" (U. A.)
"Rage in Heaven" (M-G-M)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $6,000. (Average, $7,000)
"Sleepers West" (20th-Fox)
LYRIC — (2,000) (30c-40c-50c) 7 days. Stage: Ciro Rimac and his Rhumba-Conga Band in "Pan-American Revue," with Alzira Camargo. Gross: $6,500. (Average, $8,000)

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Mar. 21	Penthouse Mystery (D) *R. Bellamy* *M. Lindsay*			The Lady Eve (C) *B. Stanwyck* *Henry Fonda*	Mr. District Attorney (D) *Florence Rice* *Dennis O'Keefe*	Footlight Fever (D) 119 *Alan Mowbray* *Donald McBride*		Topper Returns (C) *Joan Blondell* *Roland Young*	Man Who Lost Himself (D) Bury Me Not On the Lone Prairie (D)	The Sea Wolf (D) 501 *Ed. G. Robinson* *Lupino-Garfield*
Mar. 28		The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	Sign of the Wolf (D) *Grace Bradley* *Michael Whalen*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Vivacious Lady (C) 162 *Rogers-Stewart* (Re-issue)	Dead Men Tell (D) 136 *Sidney Toler* *K. Aldridge*		Horror Island (D) Man-Made Monster (D)	Knockout (D) 568 *Art Kennedy* *Olympe Bradna*
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*			Roundup (O) *Richard Dix* *Pat. Morison*	Pals of the Pecos (O) 2-Gun Sheriff (O)	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*			A Shot in the Dark (D) *Wm. Lundigan* *Nan Wynn*
Apr. 11		Men of Boys Town (D) 132 *Rooney-Tracy*	Break the News (D) *M. Chevalier* *J. Buchanan*	Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) *Judy Canova* *Bob Crosby*	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) 137 *Alice Faye* *Don Ameche*	Pot o' Gold (C) *James Stewart* *P. Goddard*	Lady from Cheyenne (O) *Loretta Young* *Robert Preston*	The Great Lie (D) *Bette Davis* *George Brent*
Apr. 18	Under Age (D) *Nan Grey* *Alan Baxter*	Washington Melodrama (D) 131 *Frank Morgan*	Hoosier Schoolboy (D) *Mickey Rooney* (Re-issue)	Border Vigilantes (O) *William Boyd* *Russell Hayden*	Rookies On Parade (C) *Bob Crosby* *Ruth Terry*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*	That Hamilton Woman! (D) *Vivien Leigh* *L. Olivier*	Model Wife (D) Mutiny in the Arctic (D)	Strange Alibi (D) *Art. Kennedy* *Joan Perry*
Apr. 25	Penny Serenade (C) *Cary Grant* *Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr* *Turner-Garland*	Tumbledown Ranch in Arizona (O) Invisible Ghost (D)	Power Dive (D) *Richard Arlen* *Jean Parker*	Lady From Louisiana (D) *John Wayne* *Ona Munson*	They Met in Argentina (M) *Maureen O'Hara* *James Ellison*	Mail Train (D) 139 *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon* *Melvyn Douglas*	Flame of New Orleans (D) *Marlene Dietrich* *Robert Young*	The Wagons Roll at Night (D) 560 *Bogart-Sidney*
May 2	The Big Boss (D) They Dare Not Love (D)	People vs. Dr. Kildare (D) *Ayres-Day* *L. Barrymore*	Widows of the Press (D) *Jean Parker* *Wallace Ford*	Reaching for the Sun (D) *Joel McCrea* *Ellen Drew*	The Singing Hill (O) A Gay Vagabond (C)	Bringing Up Baby (C) 163 *Hepburn-Grant* (Re-issue)			Black Cat (D) *Basil Rathbone* *Hugh Herbert*	Thieves Fall Out (C) 516 *Eddie Albert* *Joan Leslie*
May 9	Her First Beau (C) *Jane Withers* *Jackie Cooper*	Love Crazy (C) *Myrna Loy* *Wm. Powell*	Human Ghost (D) The Pioneers (O)	There's Magic in Music (M) 4021 *Alan Jones* *Susan Foster*	Country Fair (C) *Lulu Bell & Scottie*	The Saint's Vacation (D) *Hugh Sinclair* *Sally Gray*	Great American Broadcast (M) *Alice Faye* *Oakie-Payne*			Affectionately Yours (C) *Merle Oberon* *Dennis Morgan*
May 16	She Knew All the Answers (C) *Joan Bennett* *Franchot Tone*	I'll Wait for You (D) *Marsha Hunt* *Robt. Sterling*	Redhead (D) *June Lang* *Johnny Downs*	One Night in Lisbon (D) *F. MacMurray* *M. Carroll*	Sheriff of Tombstone (O) Desert Bandit (O)	Bring 'Em Back Alive 131 *Frank Buck* (Re-issue)	Cowboy and the Blonde (O) *Mary B. Hughes* *G. Montgomery*			Singapore Woman (D) 563 *Brenda Marshall*
May 23	Naval Academy (D) *F. Bartholomew*	A Woman's Face (D) *Joan Crawford* *Melvyn Douglas*	King of the Zombies (D) *Dick Purcell* *J. Woodbury*		Angels With Broken Wings (D) *Binnie Barnes*	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) *John Beal*		Too Many Blondes (M) *Rudy Vallee* *Helen Parrish*	The Nurse's Secret (D) 523 *Lee Patrick*
May 30	Adventure in Washington (D) *Herbert Marshall* *Virginia Bruce*	The Enemy Within (D) *Robt. Sterling* *C. Winninger*	Army Hostess (D) Wranglers' Roost (O)	Caught in the Draft (C) *Bob Hope* *Dorothy Lamour*		Sunny (M) 133 *Anna Neagle* *John Carroll* *Ray Bolger*	Blood and Sand (D) *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane* *Jeffrey Lynn*
June 6	Time Out for Rhythm (M) *Rudy Vallee* *Glen Gray*	Billy the Kid (O) *Robert Taylor* *Mary Howard*		Pirates on Horseback (O) *William Boyd* *Russell Hayden*		Cyclone on Horseback (O) 185	For Beauty's Sake (C) *Ned Sparks*		Men of Timberl[illegible] (D)	

Extra Budget
Extra Production
Extra Entertainment
in PARAMOUNT SHORTS!

April 11
Benchley Comedy
'CRIME CONTROL'

April 11
Gabby Color Cartoon
'SWING CLEANING'
(Technicolor)

April 11
Fleischer Special Cartoon
'RAGGEDY ANN and Raggedy Andy'
(2-reel Technicolor)

April 18
Animated Antics Cartoon
'SPEAKING OF ANIMALS'
(Down on the Farm)

100% BOX OFFICE TESTED!

Showmanship Flashes . . .

Doe Family Dinner Is Used for 'Meet John Doe'

SAN FRANCISCO, April 16. — A long distance telephone call from Gary C[illegible]er in Hollywood featured a din-[illegible]given by the Warfield Theatre [illegible]all the "Doe families" in the bay a[illegible] to celebrate the opening of [illegible]er's new film, "Meet John Doe." The dinner was staged at the Palace Hotel, with members of the Doe families as theatre guests at the film's opening. Local papers cooperated.

Paramount in Tieup on 'Wings' and 'Power Dive'

Paramount has arranged a tieup with the Piper Aircraft Corp., through which a Piper Cub plane and flying lessons will be the awards in a national contest on two Paramount air films, "I Wanted Wings" and the forthcoming "Power Dive." Fifty-word letters on the value of the private pilot in America's national defense effort will be the basis of the contest.

Coast Guard Aids Run Of 'Girl, Guy and Gob'

Buffalo, April 16.—For "A Girl, A Guy and A Gob" Richard Kemper, manager of the 20th Century Theatre here, placed a Coast Guard field piece in the lobby and invited members of a Coast Guard unit. A ship's bell, hung over the theatre entrance, was rung at intervals. Kemper also gained the cooperation of the local Navy recruiting office.

U. A. Plants Stories on 'That Uncertain Feeling'

Monroe Greenthal, director of advertising and publicity for United Artists, has sent to all circuit heads a tear sheet from a recent issue of the New York *World-Telegram,* carrying a feature story on "How to Torture Your Wife," tied in with the Ernst Lubitsch picture, "That Uncertain Feeling." Greenthal's accompanying letter suggests that similar stories may be planted in other key cities.

Boy and Dog Contest Used on 'Boys Town'

CLEVELAND, April 16.—*Loew's State used a "Boy and His Dog" photograph contest to attract attention to "Men of Boys Town." Prizes included cash and tickets.*

Heralds with Telegrams Plug 'Western Union'

Wilkes-Barre, Pa., April 16.—Window displays in nearby Western Union offices and enclosure of special heralds with all telegrams delivered during the run of the picture featured Manager Fred Lee's campaign on "Western Union" at the Capitol. He also made arrangements for a special story program on Station WBRE.

Sombrero for Mayor Aids 'Cheyenne' Run

COLUMBUS, O., April 16.—To exploit "The Lady From Cheyenne," C. Harry Screiber, manager of the RKO Palace, arranged for Mayor Floyd Green to receive a 10-gallon sombrero from Loretta Young and the mayor of Cheyenne, who jointly sponsored the "presentation."

Short Subject Reviews

"Battle of the Atlantic"

(20th Century-Fox)

THE difficult and dangerous task of delivering war supplies to Great Britain by way of the North Atlantic is dramatically pictured in this first of a new series known as "The World of Today," commentaries for which are furnished by Quentin Reynolds, *Collier's* war correspondent.

Impressive shots of air raid destruction in England convey the urgency and importance of deliveries of essential supplies from this side of the Atlantic. The camera then follows the loading of merchant vessels in a Canadian port, the formation of convoys and their protection, first, by Canadian air craft, then Canadian war vessels; next, at about mid-Atlantic, by British naval units, and finally, by British air fighters.

Action at sea, with attacks by both submarine and enemy air craft, are pictured and contribute a thrilling action highlight to the subject. Reynolds' commentary is in key with the subject but tends to become overdramatic. The picture is especially timely in view of the current discussions concerning the supplying of American convoys for ships carrying our war supplies to Britain. Running time, 9 mins.

"Crime Control"

(Paramount)

Another humorous offering featuring Robert Benchley. His subject is the "crime" committed by such articles as a newspaper, a window shade and a shoe lace. First appearing as the "crime control" officer, he then assumes the role of the person victimized by the shoe lace that snaps, the newspaper that refuses to be folded properly and the window shade that invariably rolls up. It's the typical Benchley humor, which is always good for a laugh. Running time, 11 mins.

"Picture People"

(RKO-Pathe)

This is of only slight interest because its selection of "picture people" is not too wise and also because the occupations or backgrounds in which they are presented are uniformly prosaic. The "picture people" displayed are Kay Kyser, Ginny Sims, Lupe Velez, Irvin Cobb, Rosemary Lane, Victor McLaglen, Anna May Wong, Jimmy Durante, Tex Ritter, Dick Foran and "Big Boy" Williams. Running time, 10 minutes.

"Swing Cleaning"

(Paramount)

This Max Fleischer cartoon in color has Gabby of Lilliput creating turmoil at King Little's castle. He visits the castle and finding all hands occupied with spring cleaning, takes over. He does everything wrong, such as using paint remover to clean an oil painting. When he is finished the castle is in ruins. Funny in spots. Running time, 7 mins.

"Flies Ain't Human"

(Paramount)

Popeye and an antagonistic fly provide the fun in this Max Fleischer cartoon. The muscle man is all set to enjoy a snooze when the fly sees his opportunity. From there on it's an amusing battle between Popeye and the fly. The latter, having consumed spinach, is the victor. Running time, 7 mins.

"What's Happening in Argentina?"

(RKO-Pathe)

This is the second of three single-reel subjects on South America which RKO-Pathe has made, presumably to emphasize German-Italian entrenchment in Latin America. Factually presented and reportorially narrated, it is an interesting and complimentary excursion in the Argentine as well as a reminder that the Western Hemisphere's road to solidarity in the present crisis is not unobstructed. Running time, 10 minutes.

"Caribbean Sentinel"

(20th Century-Fox)

Puerto Rico, with its scenic advantages presented as secondary to its present-day defense advantages for the Panama Canal, wins camera attention in this addition to the Magic Carpet of Movietone series. Although the military note is uppermost, the scenic background of the Caribbean island possession of the United States is not ignored. The combination makes for an interesting subject, pleasing to look upon. Narration is by Lowell Thomas. Running time, 10 mins.

"The Spirit of 1941"

(Columbia)

These glimpses behind factory walls where production of defense needs is hitting an all-time high are timely, of course, but they offer little in the way of entertainment. The camera jumps from carpentry to steel work and so on, not stopping at one long enough to be of any instructive value. The stock files provided the latter part of the reel with shots of ships and planes in maneuvers. Spirited, flag-waving commentary is by Basil Ruysdael. Running time, 10 mins.

"Going Places, No. 89"

(Universal)

Although the subject here is old tombstones, this is an all-humorous short and one of the most entertaining of the series. The humor is found in the epitaphs, which presumably were written by ancient wits who found them an ideal medium of expression of their true sentiments concerning the "departed." It's all good fun and the musical effects add to the enjoyment. Running time, 9 mins.

"The Jungle Archer"

(Columbia)

The first half of this short is concerned with a buildup of Tex Stone, a whiz-bang archer, and his wife, setting the stage for their expedition into the wilds of Mexico. The Stones then are followed through the jungles and are then seen dropping two boars with their arrows. A few splendid closeup shots of a mountain lion, which also is brought down, are included. The short on the whole is not very exciting. Running time, 11 mins.

'When Knights Were Bold'

(Terry-Toons—20th Century-Fox)

A valiant Robin Hood wins his princess from a rival prince and a formidable parent by means which should prove entertaining and satisfying to all who enjoy a screen cartoon. A number of original animation touches add to the merit of the subject. Running time, 7 mins.

'Topper' Gets $7,200 in Dull Seattle Week

SEATTLE, April 16.—"Topper Returns" was the principal grosser here in a poor week, taking $7,200 at the Fifth Avenue, with "Free and Easy." No other house exceeded average. The weather was fair and warm.

Estimated receipts for the week ending April 12:

"Rebecca" (U. A.)
"Made for Each Other" (U. A.)
BLUE MOUSE — (950) (20c-30c-40c) 7 days. Gross: $2,900. (Average, $4,000)
"Topper Returns" (U. A.)
"Free and Easy" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $7,200. (Average, $7,000)
"Vivacious Lady" (RKO)
"Convoy" (RKO)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days. Gross: $4,800. (Average, $5,000)
"Meet John Doe" (W. B.)
MUSIC BOX—(950) (40c-50c-65c) 7 days, 3rd week. Gross: $3,700. (Average, $4,000)
"The Sea Wolf" (W. B.)
"Double Date" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days, 2nd week. Gross: $5,100. (Average, $6,000)
"Mr. District Attorney" (Rep.)
"Knockout" (Univ.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Vaudeville on stage. Gross: $4,900. (Average, $5,000)
"The Lady Eve" (Para.)
"Melody for Three" (RKO)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days, 2nd week. Gross: $5,000. (Average, $6,000)

'Hardy' Garners $14,500, Toronto

TORONTO, April 16.—"Andy Hardy's Private Secretary" at Loew's led the strong parade of the week with $14,500, while "Nice Girl?" drew $14,000 to the Imperial. "Road to Zanzibar" grossed $13,500 at the Uptown.

Estimated receipts for the week ending April 12:

"Nice Girl?" (Univ.)
IMPERIAL — (3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $14,000. (Average, $9,000)
"Andy Hardy's Private Secretary" (M-G-M)
LOEW'S — (2,074) (15c-25c-35c-50c-65c) 6 days. Gross: $14,500. (Average, $9,000)
"Buck Privates" (Univ.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days. Gross: $11,000. (Average, $7,500)
"Virginia" (Para.)
"Tall, Dark and Handsome" (20th-Fox)
TIVOLI — (1,434) (10c-25c-40c) 6 days. Gross: $4,400. (Average, $3,900)
"Road to Zanzibar" (Para.)
UPTOWN—(2,761) (15c-25c-35c-50c-65c) 6 days. Gross: $13,500. (Average, $9,000)

'Lady Eve' at $4,700 Leads in Cleveland

CLEVELAND, April 16.—"The Lady Eve" with $4,700 at Loew's Stillman and "The Sea Wolf" with $4,300 in its third week at the Allen were the only films to go above average here in an extremely slow week.

Estimated receipts for the week ending April 10:

"The Sea Wolf" (W. B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 3rd week. Gross: $4,300. (Average, $4,000)
"Lady From Cheyenne" (Univ.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $7,400. (Average, $11,000)
"Rage in Heaven" (M-G-M)
RKO PALACE — (3,100) (33c-47c-55c) 7 days. Erskine Hawkins' Band on stage. Gross: $13,500. (Average, $13,500)
"Topper Returns" (U. A.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $9,300. (Average, $11,000)
"The Lady Eve" (Para.)
LOEW'S STILLMAN — (1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $4,700. (Average, $4,000)

Merger Gives Brooklyn New 24-Hour Outlet

WASHINGTON, April 16.—Brooklyn, N. Y., will get a full time radio station through the merger of four outlets, WARD, WLTH, WVFW and WBBC, which was approved today by the FCC. The commission approved the assignment of the license for WARD from the U. S. Broadcasting Corp. to the Unified Broadcasting Corp. of Brooklyn, the new company, and granted WARD the right of unlimited broadcasting instead of on a shared time basis.

WARD Assigned License

Under the contract, WARD assigned its license to the new company and the other three stations filed consents permitting WARD to go full time. The call letters for the new full-time outlet will remain as WARD temporarily, but will probably be changed to WBNY shortly.

Griffith B. Thompson has been named vice-president and general manager of the new station. Within 30 days, it is expected that all daytime programs will be in English with the evening time devoted to foreign language shows.

Heads of the four stations have been named officers of the new company, the offices they hold having been selected by lot. Rabbi Aaron Kronenberg, formerly president of WARD, is president of the new setup; Peter Testan, WBBC, vice-president; Samuel J. Gellard, WLTH, secretary, and Salvatore DeAngelo, WVFW, treasurer. These four will comprise the board of directors with a prominent Brooklyn attorney as the fifth member.

Approval Is Sought On Five New Stations

WASHINGTON, April 16.—Approval for five new broadcasting stations has been asked of the FCC.

Applications for construction permits have been received from the Paducah Broadcasting Co., Inc., for an 860-cycle, 250-watt, daytime station at Paducah, Ky.; Bay County Publishers, Inc., for a 1,230-kilocycle station at Panama City, Fla., with 100 watts power night, 250 watts day; The Metropolis Co. for a 1,490-kilocycle, 100-watt station at Ocala, Fla.; WBAM, Inc., for a 1,340-kilocycle, 250-watt station at Birmingham, Ala., and the Hennessy Broadcasting Co. for a 1,490-kilocycle, 250-watt station at Butte, Mont.

An application also has been received from Station WNCW, Brooklyn, N. Y., asking for an increase in power from 100 watts night, 250 watts day, to 1,000 watts.

To Discuss Myers' Work

Mrs. Jerome Myers, widow of the famous painter of New York's East Side, will discuss her husband's life and work on WEVD tomorrow, 10:30-10:45 P. M., in connection with a memorial exhibition of the late artist's paintings at the Whitney Museum of American Art, April 22 to May 29.

Off the Antenna

MARY PICKFORD, on behalf of the Association of M. P. Producers and the Hollywood talent guilds will present a plaque to Roger Pryor on the "Screen Guild Theatre" program on CBS Sunday evening, when the show leaves the air for the Summer.

Pryor, director and master of ceremonies of the show, will accept the plaque for the screen performers who contributed their services to the program. The plaque will be inscribed: "Award to the Gulf Oil Co.'s program for eminent achievement in furthering the advance of the allied arts of motion picture and radio."

The Motion Picture Relief Fund to date has earned $800,000 through the program, for which the sponsor pays $10,000 weekly. The fund is sponsoring a home for aged needy who have been in the industry.

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Purely Personal: *Thomas D. Rishworth, educational director of KSTP, St. Paul, since 1932, will join NBC May 1 as assistant director of public service programs for the Eastern division. . . . Ben Grauer, NBC announcer, will speak on "Defense Industries" at Queens College Friday. . . . Gene Hamilton, NBC announcer, is on a two-week vacation. . . . William E. Walker, business manager and sports announcer for WIBA, Madison, Wis., for the past 10 years, will resign May 1 to enter the advertising business and will take over supervision of WSAU, Wausau, Wis., and WMAM, Marinette, Wis.-Menominee, Mich.*

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For the second time in the war, the London headquarters of NBC were wrecked by German air raiders yesterday. Two employes in the office at the time were uninjured. John MacVane, temporarily in charge, gave a description of the bombing on the 7:15 P.M. news roundup. He is substituting for Fred Bate, who was injured in a bombing of NBC offices on Dec. 8.

• • •

CBS yesterday issued its 28th rate card, effective May 11. Notable changes since July 15, 1940, the date of the last card, show 219 major improvements by 70 stations, according to William C. Gittinger, vice-president in charge of sales.

There were 44 power increases, five stations went to full time, and eight new U. S. stations and one Philippine Islands station were added for a total of 128 CBS outlets. Other improvements include new transmitters for 18 stations; improved transmitters for 13; new transmitter sites for 18; new antennas for 41; improved antennas for 12; new ground systems for 21; new ground screens for 11; new program limiting amplifiers for six; new feedback installations for six; new transmitter checking facilities for 16 and new frequencies, other than those required by the Havana Treaty, for eight. Only two new rates not previously announced are included, and these two offset each other. WCSC, Charleston, S. C., is reduced from $125 to $100 per night hour, while WSPA, Spartanburg, S. C., is increased from $100 to $125.

• • •

Program News: *Kate Smith will observe her 10th anniversary on the air Friday, April 25, over CBS. William S. Paley, CBS president, and Clarence Francis, president of General Foods, her sponsor, will make congratulatory talks during the show, heard 8-8:55 P.M. . . . Arthur Godfrey, whose morning show starts on WABC Monday, April 28, has obtained two new sponsors. They are Bond Stores which will sponsor the 7:30-7:45 A.M. spot Mondays through Saturdays and Lehn & Fink which will participate in the 6:35-7 A.M. period three times weekly. . . . Paul Douglas will start a "Sports Column" over WEAF, Monday, April 28. It will be heard sustaining Mondays through Saturdays 6:45-7 P.M. . . . United Drug Co. has contracted for three 15-minute programs over WEAF and WJZ to promote its annual one-cent sales during the week of April 28.*

• • •

A Pan-American council for the CBS "School of the Air of the Americas" has been set up with representatives from most of the countries of this hemisphere, Sterling Fisher, director of education, disclosed yesterday. Fisher is chairman of the new council, which includes prominent diplomatic and educational officials. Members of the council will act as liaison officers with the ministers of education in their respective countries, making the program available to schools of their own countries and providing program material for use on the broadcasts.

Test Mexico's New Censor Authority

MEXICO CITY, April 16.—A test case to determine the authority of the new Federal film censorship and supervising department is being made by Manuel de G. Osio, distributor of the religious picture, "El Divino Rostro o La Corona de Espinas" ("The Divine Rostrum or the Crown of Thorns"). This film was approved by the department, but some municipal authorities forbade its exhibition.

Osio obtained from a local district court a temporary injunction against the prohibition.

Conn. Allied Delays Officer Nominations

NEW HAVEN, April 16.—Allied Theatre Owners of Connecticut officers for 1941-42 will be nominated at the next regular meeting on April 29, instead of this week as scheduled.

'Rio' at Two Butte Houses

BUTTE, Mont., April 16.—"That Night in Rio" opened at the America and Rialto here today for limited engagements. Theatre attendance has been good this week despite bad weather, including snowstorms.

RMA Will Discuss Priorities on Metal

Metal supply for use in radio sets will be discussed with the priorities committee of the OPM on Tuesday by a special priorities committee of the Radio Manufacturers Association, it was decided yesterday at a board of directors meeting at the Hotel Roosevelt.

Another special committee was set up to promote [illegible] sale of FM and television sets on an industry-wide basis. This committee will start to function when the FCC gives its expected approval for commercial television operation. Meetings were also held yesterday of the advertising and export committees of the R.M.A. About 60 attended the meetings.

CBS Quarter Net Up to $1,487,685

CBS earned a net profit of $1,487,685 for the first quarter of 1941 after provision for Federal taxes, as compared with $1,284,331 for the first quarter last year. The figures for the 1940 first quarter have been adjusted to represent the correct situation after Federal tax revisions which were after announcement of profits for the first 13 weeks last year.

The 1941 earnings represent 87 cents a share as compared with 75 cents for the first quarter last year. Gross income from sales of facilities, talent, lines, records, etc., after deductions for time discounts and agency commissions, record returns, allowances and discounts was $10,380,335 as compared with $8,918,659 last year.

The annual stockholders' meeting yesterday elected seven Class A and seven Class B directors, adopted a plan permitting extra compensation up to six per cent of net profits to certain executives and employes, and named Price, Waterhouse & Co. independent auditors for the company.

Class A directors named were Prescott S. Bush, J. A. W. Iglehart, Paul W. Kesten, Edward Klauber, Samuel Paley, Dorsey Richardson and Herbert Bayard Swope. Class B directors included William S. Paley, John J. Burns, Ralph F. Colin, Gen. Malin Craig, Isaac D. Levy, Leon Levy and Mefford R. Runyon.

Mutual's Committee Meets on Ascap Pact

CHICAGO, April 16.—The copyright committee of Mutual met here today to formulate a definite plan for presentation to network stockholders on an Ascap contract. The meeting will be concluded tomorrow. Ascap officials are expected here for tomorrow's meeting at which they will be called upon to answer specific questions concerning the proposed new contract.

'FBI' Preview in Capital

WASHINGTON, April 16.—Persons prominent in the Army, Navy and Government attended a March of Time reception and preview of "Men of the F.B.I.—1941" at the Carlton Hotel here tonight.

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V 49. NO. 76 NEW YORK, U. S. A., FRIDAY, APRIL 18, 1941 TEN CENTS

RKO Meeting Here June 16, Depinet Says

Ampa Told Decree Should Improve Pictures

By SHERWIN A. KANE

RKO will have its first block of five features ready for screening at the company's national sales convention to be held at the Waldorf - Astoria here June 16 to 19, Ned E. Depinet, vice-president in charge of distribution said yesterday.

Ned Depinet

[*This confirms* Motion Picture Daily's *story yesterday that the convention would be held in New York about mid-June.*]

Depinet made this assertion at the Ampa luncheon meeting yesterday at

(*Continued on page* 8)

'Hamilton' Sets New Hall Easter Record

"That Hamilton Woman," Alexander Korda-United Artists picture, has broken the Easter Week business record at the Radio City Music Hall by grossing an estimated $108,000 for its second week, which ended Wednesday night. This figure is slightly higher than the previous record holder, "The Story of Vernon and Irene Castle," a Fred Astaire-Ginger Rogers film of 1939, which grossed in the

(*Continued on page* 10)

John Rawson New Albany Board Clerk

Albany, April 17.—John Rawson, Albany attorney, today was appointed clerk of the local arbitration board, succeeding Robert Elliot, who is resigning to accept a position outside the film industry. Rawson's appointment is effective on Monday.

The change is the first to occur in the clerical staffs of the industry arbitration boards since they started on Feb. 1.

Harley Is Favorite For KRS President

London, April 17.—Francis L. Harley, managing director for 20th Century-Fox in Great Britain, is considered the favorite for the presidency of the Kinematograph Renters Society, distributors' organization, for the 1941-'42 term. The president is now Sam W. Smith, head of British Lion Film Corp., Ltd.

Rise in Admission Tax Foreseen as U. S. Seeks Funds

By BERTRAM F. LINZ

Washington, April 17.—A sharp increase in the Federal admissions tax was foreseen in Washington today as the Administration disclosed that it would rake every possible source of revenue to raise the $3,500,000,000 which Secretary of the Treasury Morgenthau announced had been agreed upon as the goal of the new tax bill.

Although Secretary Morgenthau gave no indication of how the money will be raised, informed sources declared that it might be necessary not only to increase the admissions tax

(*Continued on page* 8)

RKO PLANNING NEW $9,500,000 FINANCE

Will Be Used to Buy Control of M. J. Meehan's K-A-O Preferred and Refund RKO 6% Preferred; Will Unify Properties

By SAM SHAIN

RKO will soon undertake a huge refunding operation, involving, according to Wall Street reports, an estimated $9,500,000, a substantial portion of which will be devoted to the purchase and acquisition of M. J. Meehan's preferred share interest in Keith-Albee-Orpheum, and refunding of certain amounts of RKO's 6 per cent preferred.

This undertaking, it is asserted, will bring about a unified control of all of RKO properties, under the present management headed by George J. Schaefer, president.

The firms which are mentioned in the reports as principals in the refunding transaction are the Equitable Life Assurance Society and the First Boston Co. According to the same authorities, Equitable will provide an estimated $6,000,000 of the money to be lent RKO, and the First Boston Co. will grant the remainder. The $6,000,000 which will be lent by Equitable will be for 10 years at 4½ per cent, these reports assert, and that by the First National Company of Boston for five years at 2½ per cent.

This refunding operation is interpreted by experts as meaning that the option for the M. J. Meehan shares in K-A-O held by Atlas Corp. (Floyd Odlum) is to be exercised in some form, for the benefit of RKO, which it is officially asserted was the purpose for which the M. J. Meehan deal was made by Odlum. The approximately 7,000 shares of Meehan's K-A-O stock now held by Atlas will be turned over to the company at the price paid by Atlas, reports say.

These shares represented approximately 25 per cent of Meehan's K-A-O preferred. Atlas paid approximately $750,000 for these shares and held an option to purchase the

(*Continued on page* 10)

Color in CBS Television Set

By EDWARD GREIF

CBS plans to return to the air with its television transmitter on June 1, Adrian Murphy, executive director of television, declared yesterday. Field tests will start on that date and programs will follow "several months later," Murphy stated.

CBS, at least for the period of the field tests, will com-

(*Continued on page* 12)

Hays Refutes Wheeler's Charge Films Incite War

By IRVING YERGIN

Chicago, April 17.—Will Hays, president of the MPPDA, today gave factual refutation from the record of American film production in 1940 to the accusation leveled against the industry by Senator Burton K. Wheeler that the screen is inciting this country to war.

Will H. Hays

Hays refuted the Wheeler statement at a stop here while en route to New York from a visit to the Coast. Senator Wheeler, in an address yesterday before the America First Committee

(*Continued on page* 10)

Pa. Bill Restricts Sunday Film Votes

Harrisburg, Pa., April 17.—The Pennsylvania House today adopted several amendments to the O'Brien bill, which would make more difficult the initiating of referenda on Sunday films in Pennsylvania communities. The action of the lower house on the amendments prepared the way for final action on the measure in the house Monday.

The existing law requires a petition of five per cent of the registered voters of any municipal subdivision to place the Sunday film issue on the ballot. The O'Brien bill originally would have amended the law to require 51 per cent of registered voters to sign such a petition, but this has been reduced to 35 per cent. The measure still will have to go to the Senate, if it passes the House.

In Today's Issue

Reviews of "Washington Melodrama," from Hollywood, and "Two Gun Sheriff," Page 3. Film and radio industries continue opposition against Berne Copyright Convention at Senate hearing, Page 12. Short subject reviews, Page 10. Coast Flashes, Page 2.

Coast Flashes

Hollywood, April 17

SAMUEL GOLDWYN announced today he will produce an aviation musical with a South American background as a means, he said, of helping to promote Pan-Americanism. He plans to star Bob Hope in the picture.

•

Deanna Durbin and Vaughn Paul will be married at 8:30 P. M. tomorrow at the Wilshire Methodist Episcopal Church, Los Angeles. Dr. Willsie Martin will perform the ceremony, with a bridal party of 15 and some 900 guests in attendance. A reception will follow at the Beverly Wilshire Hotel. After a honeymoon of about a month, the couple will report back to Universal—the bride to to star in "Almost an Angel" and Vaughn to be associate producer on "Mermaid in Distress." Nate J Blumberg, J. Cheever Cowdin and other company officials will attend the ceremony.

•

Will H. Hays is scheduled to arrive in New York tomorrow by train after several weeks of conferences here.

60 to Show Work At S. P. G. Exhibit

Approximately 60 film artists will display their work at the "Screen Publicist in Art" exhibit opening Sunday at the Barbizon Plaza Art Gallery under the auspices of the Screen Publicists Guild. One of the features will be an exhibit showing in detail the creation of a film advertisement.

A reception at 3 P.M. Sunday will open the exhibit, which will continue through April 30. On display will be paintings, watercolors, sculpture, drawings, photographs, lithographs, and the like.

Exhibitors include John Agell, George Alexander, Nicholas Amen, T. Brennan, A. Ceike, Joseph Chasin, Travis Cliett, Albert H. Corck, Glenn Cravath, Jack Eisner, Robert Fels, Louis Field, S. M. Forgotson, Maurice Freedman, Stephen Gablik, J. P. Gomley, Bertram Goodman, George Grippo, William Hameister, William Heaslip, Joseph Heppner, Hirschfeld, Manuel Rey Isip, Ted Jaediker, Karoly, Jack Kerness, H. B. Kornheiser, Morr Kusnet, Irving Lane, R. A. Luders, Fredric C. Madan, M. R. Marx, Afton McWilliams, Kathleen A. Michelson, Gustav E. R. Michelson, S. Mirsky, Charles J. Mulholland, Louis Myers, Barye Phillips, Melville A. Phillips, Saul Plosky, Leo W. Quanchi, Mac Roche, Ben Rogers, Lucie C. Robinson, Saul Rosenberg, Jonas Rosenfield, Jr., Daniel Sanfilippo, Phil Schaeffer, Georges Schreiber, W. W. Seaton, W. Sewell, Symeon Shimin, Emmett O. Smith, Harry Suskind, Earl C. Van Swearingen, Jo Wolf, Charles Lennox Wright and Hal Seroy.

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San Francisco, California

Personal Mention

MR. AND MRS. MAX A. COHEN plan to spend the Summer in Westchester.

•

JAMES MULVEY, LEE SHUBERT, WILLIAM BRANDT, DAVID GRIESDORF, HASKELL MASTERS, CHARLES STERN, ARTHUR GOTTLIEB and J. J. MILSTEIN lunching yesterday at Lindy's (51st St.).

•

FRED MCCONNELL, COLVIN BROWN, TERRY RAMSAYE, MAC LITTMAN and CHARLES PAINE having lunch at the Tavern yesterday.

•

WILLIAM HICKS, owner of the new Mayfair in Baltimore, has returned from Florida.

•

ARTHUR ARAKELIAN, assistant at the Loew-Poli Elm Street Theatre in Worcester, Mass., has resigned.

JULES LEVEY is due from the Coast today.

•

HARRY COSMAN, EUGENE PICKER, MARVIN SCHENCK and RUBE JACKTER at Lindy's (next to the Rivoli) for lunch yesterday.

•

HOWARD DIETZ, OSCAR DOOB, MAURICE BERGMAN, OWEN DAVIS, EDMUND C. GRAINGER, CHARLES M. REAGAN, HARRY ARTHUR, JOSEPH VOGEL and SAM MORRIS lunching yesterday at Nick's Hunting Room in the Astor.

•

MAX GALFUNT returned yesterday from a three-week vacation in Florida.

•

THEODORE ROUSTON, manager of the Hippodrome, Baltimore, is ill with the flu.

•

CHARLES LIGHT observes a birthday today.

Metro Designates Five New Film Titles

HOLLYWOOD, April 17.—M-G-M has designated new titles for five features currently in work. "The Uniform" has been changed to "Unholy Partner;" "The Enemy Within" has become "The Get-Away;" "Barnacle Bill" has replaced "Lazy Bones;" the untitled Marx Brothers film will be known as "The Bargain Basement," and "The Steel Cavalry" has been substituted for "Combat Car."

Goodman to Be Host To Weitman Today

Benny Goodman, band leader, will be host today at a cocktail party in the Bacardi Room of the Empire State Building in honor of Robert Weitman, managing director of the Paramount Theatre.

Weitman gave the Goodman band its first important theatre engagement at the Paramount Theatre four years ago.

Garnett Forms Company

HOLLYWOOD, April 17.—Tay Garnett has formed an independent producing company and will produce and direct four features, the first of which will be an adaptation of his own story, "World Cruise." The film will be titled "Three Sheets to the Wind" and will star Brian Donlevy. Ken Englund is writing the scenario.

Garfield Due Tomorrow

John Garfield is due here from the Coast tomorrow for a vacation.

70% of Guatemala Product from U. S.

WASHINGTON, April 17.—Approximately 70 per cent of the films shown in Guatemala during 1940 were from the United States, it is reported by the American vice-consul there to the U. S. Department of Commerce. Of the other product, 13 per cent was supplied by Argentina, 10 per cent from Mexico, five per cent from France, and two per cent from other sources.

It is estimated that approximately 350 features are required annually to supply the Guatemalan market. The war has had no appreciable effect on the industry there or on its supply of film. During 1940 Argentine product supplanted Mexican films as the chief competition for American pictures. There is no domestic production in Guatemala.

Casey Takes Over Office Union Talks

Pat Casey, producers' labor representative, has taken over negotiations with the American Federation of Office Employes which is seeking contracts covering employes at five Albany exchanges, including Warners, RKO, Universal, Republic and 20th Century-Fox.

The union had been negotiating separately with the companies. The union seeks definite wage scales and limitation on hours, as well as full recognition as the collective bargaining agency. Edward K. Flaherty represented the union.

Settle 20th-Fox Suit

Stipulation settling and discontinuing the suit of Izola Forrester and Mann Page against 20th Century-Fox on undisclosed terms was filed yesterday in N. Y. Supreme Court. The suit charged plagiarism of the plaintiffs' play, "Joyous," in the Shirley Temple film, "The Poor Little Rich Girl."

Form Theatre Company

NEW BRITAIN, Conn., April 17.—The State Theatre Corp. of this city has filed a certificate of incorporation, listing Margaret T. McMahon and others as incorporators.

Newsreel Parade

SETTING up of the Office of Price Administration and the issuance of new bonds and stamps, are the latest defense developments covered in the new issues of the newsreels, while the general news content includes James Roosevelt's wedding in [illegible]fornia and forest fires in New J[illegible]. The contents:

MOVIETONE NEWS, No. 64—Forest fires in New Jersey. Leon Henderson named price administrator. Lord Halifax views the "North Carolina." Treasury issues new stamps. James Roosevelt weds. England: Polish president with air force; Yugoslavia's royal family; big guns in action. Pennsylvania shipyard rushes production. New plane tested in New Jersey. Factory delivers 1,000th plane to army. Giants-Dodgers, Cards-Reds baseball games.

NEWS OF THE DAY, No. 262—Australian troops in Africa. Forest fires in New Jersey. Brazil steps up aviation. U. S. launches bond drive. Roosevelt's wedding. Debutantes in New York. Diving champion gives exhibition at Del Monte, Cal.

PARAMOUNT NEWS, No. 67—Pan-American Day in New York, Havana and Colombia. New stamp and bond issues. James Roosevelt weds. Stock Exchange head inducted into army. Circus comes to New York. Red Cross ship arrives at Marseille. Dodgers-Giants and Reds-Cards baseball games.

RKO PATHE NEWS, No. 67—James Roosevelt married. Treasury issues new defense bonds. Horses and machines in Georgia cavalry. Henderson heads price-supply agency. "Miss Capitol Hill" chosen in Washington. Army medical corps in training. Gym meet in Chicago. Diving champion gives a lesson at Del Monte, Cal. Kentucky Derby forecast.

UNIVERSAL NEWSREEL, No. 972—Defense financing stamps issued. Price-control board set up. James Roosevelt weds nurse. Stock Exchange president drafted. Gas-mask drills in London; mobile defense batteries rushed to danger zone. Fires in New Jersey woods. Diving star shows skill at Del Monte, Cal. Giants and Dodgers open baseball season. Florida girls learn to fly.

Vogel's Mother Dies; Services on Sunday

Mrs. Florence Vogel, 75, mother of A-Mike Vogel, chairman of the Managers' Round Table department of *Motion Picture Herald*, died yesterday in Miami. Funeral services will be held at Riverside Chapel at 76th St. and Amsterdam Ave., Manhattan, at 3 P. M., on Sunday. Surviving are her husband, J. K. Vogel; two other sons, Harry and Louis, and two daughters, Jean and Fay.

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'Zanzibar' at $16,000 in Dull Boston Week

BOSTON, April 17.—"The Road to Zanzibar," coupled with "Dead Men Tell," gave the Metropolitan $16,000. "Mr. and Mrs. Smith" and "Vivac[illegible] Lady" at Keith's Memorial g[illegible]ed $15,000 in a week of only fair business.

Estimated receipts for the week ending April 9-12:

"Footlight Fever" (RKO)
"Sign of the Wolf" (Mono.)
"Border Vigilantes" (Para.)
"City of Missing Girls" (Select)
RKO BOSTON—(3,200) (28c-33c-44c-55c-65c) 4 days, 3 days. Vaudeville including Rose Marie, Gene Sheldon, Six Grays, Smith, Rodgers and Eddie, Cortello and his dogs. Gross: $9,500. (Average, $8,000)
"Mr. and Mrs. Smith" (RKO)
"Vivacious Lady" (RKO)
KEITH MEMORIAL—(2,907) (28c-39c-44c-55c) 7 days. Gross: $15,000. (Average, $16,000)
"The Road to Zanzibar" (Para.)
"Dead Men Tell" (20th-Fox)
METROPOLITAN—(4,367) (28c-39c-44c-55c) 6 days. Gross: $16,000. (Average, $15,500)
"A Girl, a Guy and a Gob" (RKO)
"Scotland Yard" (20th-Fox)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,500)
"A Girl, a Guy and a Gob" (RKO)
"Scotland Yard" (20th-Fox)
FENWAY—(1,320) (28c-39c-44c-55c) 7 days. Gross: $3,800. (Average, $4,500)
"So Ends Our Night" (U. A.)
"Footsteps in the Dark" (W. B.)
SCOLLAY—(2,500) (28c-39c-44c-55c) 7 days. Gross: $3,200. (Average, $4,000)
"Topper Returns" (U. A.)
"The Bad Man" (M-G-M)
LOEW'S STATE — (3,000) (28c-33c-44c-55c) 7 days. Gross: $9,900. (Average, $12,000)
"Topper Returns" (U. A.)
"The Bad Man" (M-G-M)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days. Gross: $15,300. (Average, $17,500)

Murray to Miami

Richard F. Murray, business manager of the Paramount short subject department, leaves tonight for the Max Fleischer studios in Miami, where he will confer on cartoon product for Paramount release in 1941-'42. He is expected back in about a week.

Schaindlin on Short

Columbia has signed Jack Schaindlin as director of music of a two-reel musical to be filmed here next week under the direction of Ben K. Blake. Featured will be Henny Youngman, Three Radio Rogues, Al Shean, Elaine Arden and Carol Gould.

Para. Buys War Story

HOLLYWOOD, April 17.—Paramount has purchased "Channel Port," a story of war espionage by Leonard Lee.

It Never Rains—

Meridian, Miss., April 17

HARD luck seems to be dogging Lloyd Royal, owner of the Royal Theatre here.

Within two months after he opened his theatre two tear-gas bombs exploded in the house and a time bomb exploded injuring five.

As a climax to Royal's mishaps, there have been two attempts to rob his box-office and two fires.

Feature Reviews

"Washington Melodrama"

(MGM)

Hollywood, April 17

AS its title implies, this offering uses Washington as a background. The story is, also as per the title, melodramatic, involving a murdered chorine and a plan to feed Europe's starving populations.

Frank Morgan appears as a financier who wishes to help provide food for Europeans, a plan opposed by Kent Taylor, cast as a newspaper publisher, on the grounds that it would only help the dictator nations. The financier's wife and daughter return after a summer of travel to find him implicated in the murder of a girl with whom he had found companionship in their absence.

The real murderer is finally brought to justice and the financier given a fair chance to present his case before a Senate committee. Ann Rutherford portrays his daughter, Dan Dailey, Jr., the murderer, and Lee Bowman a friend of the publisher who helps establish the killer's identity. Romance is provided by Miss Rutherford and Taylor.

The picture was produced by Edgar Selwyn and directed by S. Sylvan Simon.

Running time, 80 minutes. "G."* W. S.

"Two Gun Sheriff"

(Republic)

HERE Don "Red" Barry plays a hardened bad man with the same ease which characterizes his usual portrayal of law defender. He handles with marked effect the double assignment of an honest sheriff fighting for justice, and the sheriff's brother, "the Sundown Kid," who by an unfortunate turn of events, is forced to turn outlaw. The latter, however, finally reforms and is killed aiding his brother.

"The Kid," about to be hanged for murder, is rescued by a band of cattle rustlers so they might have him impersonate the sheriff and permit them to continue the rustling. All goes well until "The Kid" and the sheriff join forces.

The film is well done. The dual role comes as a welcome change. The story is consistently interesting and has plenty of action. Photography is of the best.

Supporting players include Lynn Merrick, Jay Novello, Lupita Tovar and Fred Kohler, Jr. George Sherman directed and was associate producer.

Running time, 56 minutes. "G."*

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*"G" denotes general classification.

Theatre Changes

Ryan Leaves E. M. Loew

WORCESTER, Mass., April 17.—William J. Ryan, long asociated with Loew-Poli and E. M. Loew Theatres here and former house manager of the New York Roxy, has resigned as manager of E. M. Loew's Olympia to join the George Motor Co. Bruno Weingarten, manager of the Family, was transferred to the Olympia and Al Wolf, assistant at the Olympia, is manager of the Family.

Shift Loew Columbus Managers

COLUMBUS, O., April 17. — M. J. Cullen, Loew's western division manager, has appointed Robert Yeager as student assistant manager of the Broad Theatre here, replacing Urban May, who was transferred to the local Ohio. May succeeded Charles Kennedy, who was named assistant manager to fill the vacancy caused by the resignation of John Hardgrove.

Operates Kansas Theatre

MOUND CITY, Kan., April 17.—Floyd Hill of Drexel, Mo., is now operating the Aladdin here, formerly operated by the Klopfenstein Bros. Circuit.

Jankowitz Operates Sun Here

The Sun Theatre, 2176 Third Ave., Manhattan, is now being operated by the D. H. Keith Amusement Co., of which Harry Jankowitz is president and David H. Keith vice-president. Buying and booking are being handled by Richard Perry, formerly a salesman for Grand National.

Joins Frisco House Ad Staff

SAN FRANCISCO, April 17.—Leo Simon of San Diego has replaced Willis Werner on the advertising-publicity staff of the Clay and Larkin Theatres here. Werner resigned due to ill health.

To Manage Ontario House

TORONTO, April 17.—The manager of the new Westboro Theatre, Westboro, Ont., will be John Hansler, manager of the Centre Theatre, Ottawa. The theatre, which will open the end of May, is the first for Westboro. It will seat 750. D. B. Stapleton, owner, will manage the Centre.

Drive-in to Open Sunday

The Sunrise Drive-in Theatre, Valley Stream, L. I., is scheduled to be reopened Sunday.

'Power Dive', Kyser Smash L. A. Record

LOS ANGELES, April 17.—All house records were broken at the Paramount Theatre here since the inception of the present price scale in 1933, with "Power Dive" and Kay Kyser on the stage accounting for a tremendous $42,000 gross. "The Devil and Miss Jones" and "The Lone Wolf Takes a Chance" also were strong, taking $13,000 at the Hillstreet and $12,400 at the Pantages.

Estimated receipts for the week ending April 16:

"Men of Boys Town" (M-G-M)
"Free and Easy" (M-G-M)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $12,000. (Average, $12,500)
"Fantasia" (Disney)
CARTHAY CIRCLE — (1,518) (55c-$1.65) 7 days, 11th week. Gross: $11,800. (Average, $17,000)
"That Hamilton Woman" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 4th week. Gross: $6,300. (Average, $3,250)
"The Devil and Miss Jones" (RKO)
"The Lone Wolf Takes a Chance" (Col.)
HILLSTREET — (2,700) (33c-44c-55c-75c) 7 days. Gross: $13,000. (Average, $6,500)
"Men of Boys Town" (M-G-M)
"Free and Easy" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $15,500. (Average, $14,000)
"The Devil and Miss Jones" (RKO)
"The Lone Wolf Takes a Chance" (Col.)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. Gross: $12,400. (Average, $7,000)
"Power Dive" (Para.)
PARAMOUNT — (3,595) (33c-44c-55c-75c) 7 days. Stage: "Kay Kyser's College of Musical Knowledge." Gross: $42,000. (Average, $18,000)
"The Sea Wolf" (W. B.)
WARNER BROS. (Hollywood) — (3,000) (33c-44c-55c-75c) 7 days. Gross: $15,100. (Average, $14,000)
"The Sea Wolf" (W. B.)
WARNER BROS. (Downtown) — (3,400) (33c-44c-55c-75c) 7 days. Gross: $15,300. (Average, $12,000)

Argentina Competes In Peruvian Market

WASHINGTON, April 17.—American films continued to dominate the market in Peru in 1940, although exchange difficulties gave rise to a tendency toward the increased showing of some other product, according to a report to the U. S. Department of Commerce from the American vice-consul in Lima.

Competition was chiefly from Argentina, followed by France and Mexico. German and Italian films offered no competition last year, it was reported.

A total of 21 films were produced in Peru in 1940, but only one was a feature. The Peruvian Government gives no assistance in the financing of production.

There are approximately 220 theatres in Peru, with a total seating capacity estimated at 119,000. Audiences are reported to prefer musical comedies, thrill films and dramas featuring popular stars.

Six Films in Work At Warner Studio

Hollywood, April 17.—With six pictures in production, five set to start in the next three weeks and 25 preparing, Warners today announced that the studio is in the midst of a heavy schedule.

Never in the history of
been such strikingly
among the 1,142 exhi
reviewers, who crowde
Tuesday morning for
Stevens' "Penny Ser
Dunne and Cary Gran

The Exhibitors Said:

SI FABIAN (*Fabian Circuit*) — "Powerfully told. A splendid picture!"

A. HOVELL (*Century Circuit*) — "Should be big box-office!"

FRED SCHWARTZ (*Century Circuit*) — "An excellent picture!"

JOHN BENAS (*Skouras Circuit*) — "Should be a big grosser!"

CHARLES MOSES (*Moses Theatres*) — "Should be a big hit!"

IRVING DOLLINGER (*Assoc. Theatres of N. J.*) — "A great picture!"

SAM RINZLER (*Randforce Circuit*) — "Predict this will be one of the biggest hits of the year!"

LOUIS FRISCH (*Randforce Circuit*) — "Should be a tremendous hit!"

JACK HATTEM (*Interboro Circuit*) — "One of th
finest pictures I have seen. Should be terrific at th
box-office!"

LEO BRECHER (*Brecher Circuit*) — "A great pic
ture!"

FRANK LIVOTI (*Livoti Circuit*) — "Splendidl
acted. Should appeal to the masses!"

HAROLD GREENBERG (*Netco Theatres*) — "Ex
cellent picture. Particular appeal to women!"

ED STERN (*Rugoff & Becker*) — "Should mea
business. Cast superb!"

LARRY MORRIS (*Moss Enterprises*) — "Excel
lent picture. Direction perfect. All in all, a grea
picture!"

ade showings has there nanimous acclaim as tors, their wives, and into the Astor Theatre he preview of George ade", starring Irene

The *Reviewers* Said:

VARIETY—

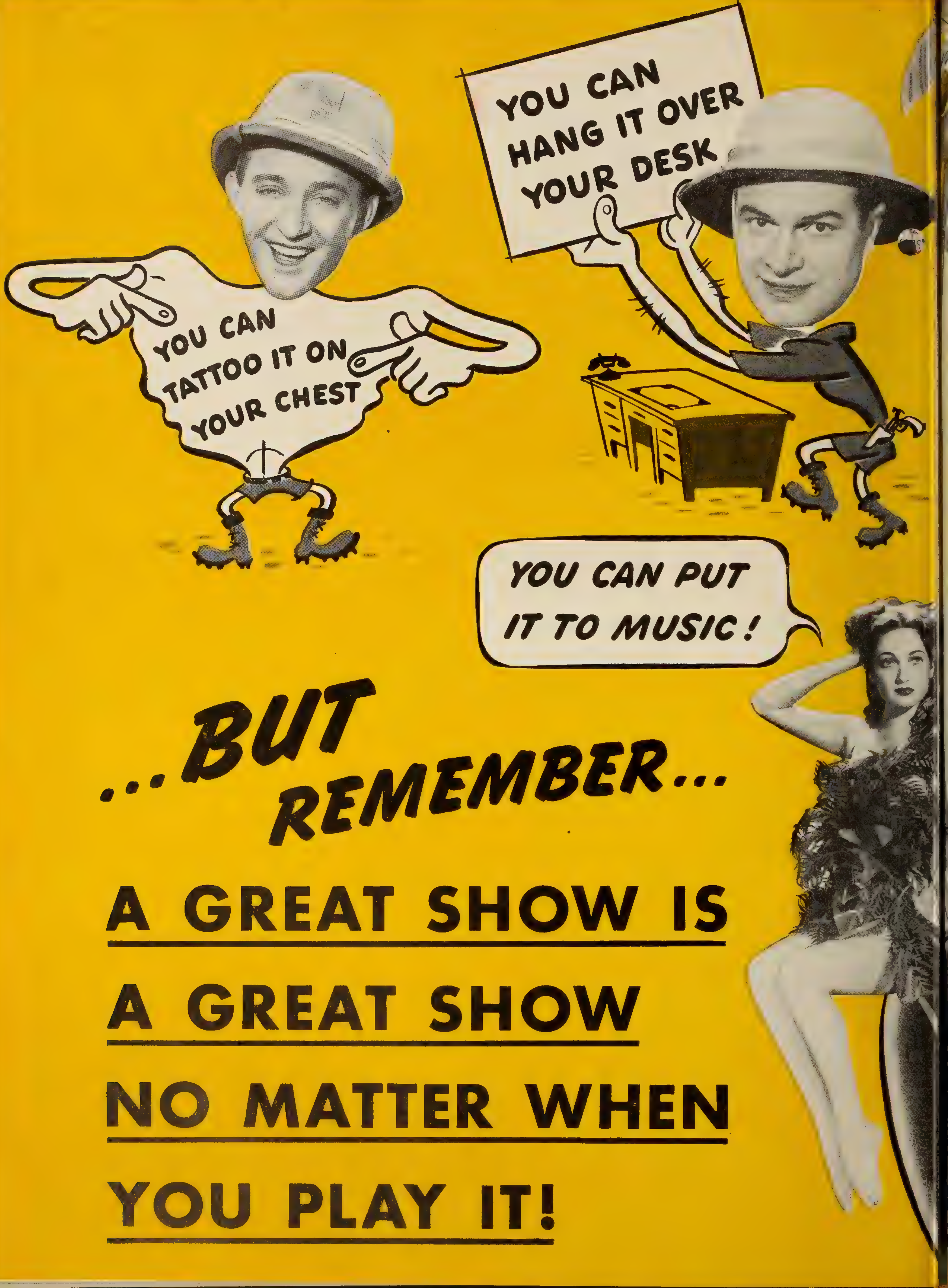
"George Stevens' direction and the excellence of the stars' playing make the film an entry for top bookings and extended first runs. Film should turn out to be a serenade of quarters at the box-office. Good box-office guaranteed!"

MOTION PICTURE DAILY—

"An audience of exhibitors and the press gathered at the Astor for the showing rocked with hearty laughter during the lighter moments and gave the picture whole-hearted applause at the end. Those masters of sophisticated love scenes, Irene Dunne and Cary Grant, have been reunited in a deeply moving, finely etched tale of marital romance!"

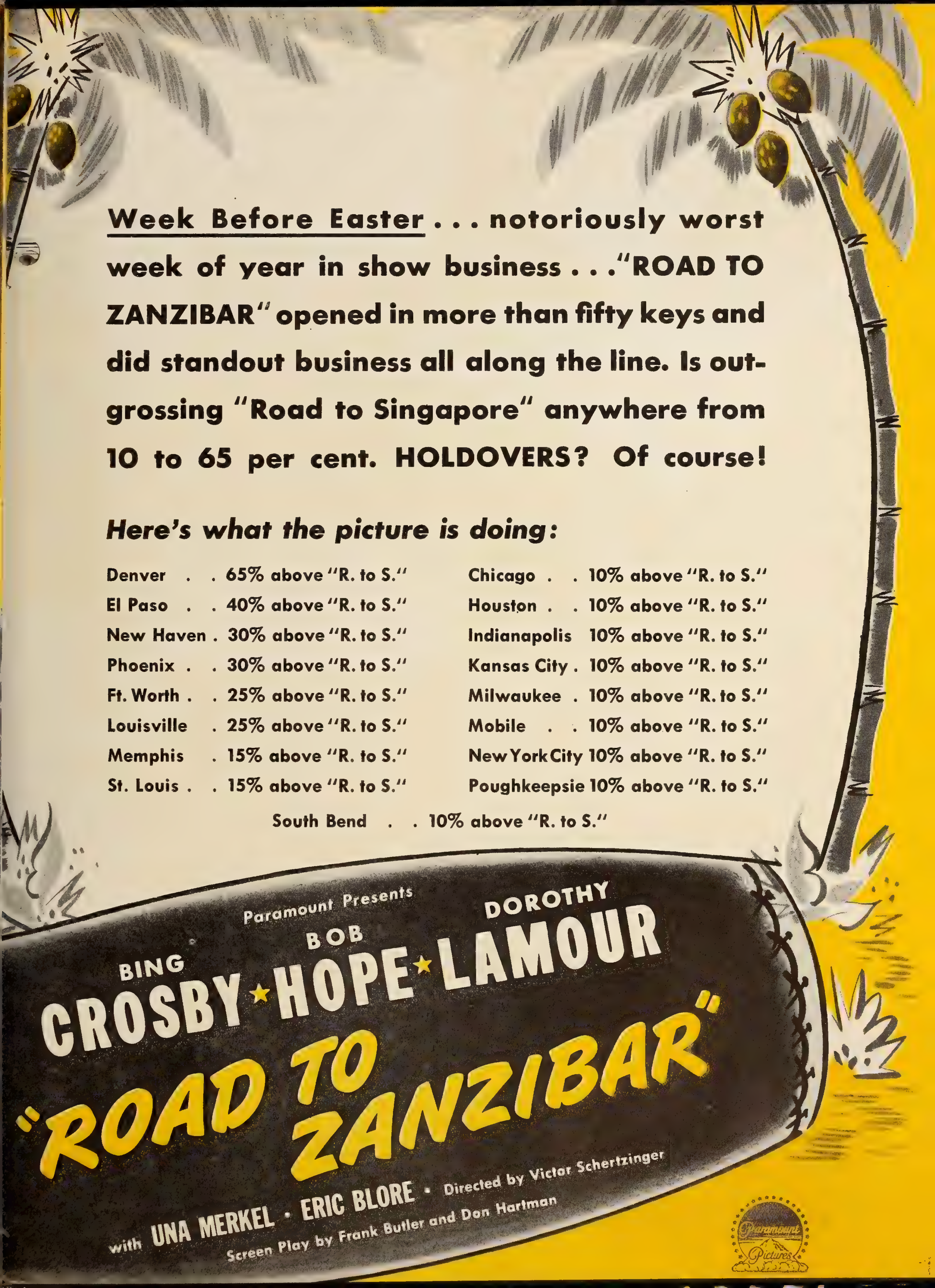
FILM DAILY—

"Should be B. O. hit and standout among year's best pictures. Audiences every place will be stirred. Everything about the picture is swell, if that adjective is adequate... Exhibitors have a first-class piece of merchandise for their screens...for any house and all types of audiences. Splendid entertainment on every score, it can't be too highly recommended or oversold!"


YOU CAN TATTOO IT ON YOUR CHEST
YOU CAN HANG IT OVER YOUR DESK
YOU CAN PUT IT TO MUSIC!

...BUT REMEMBER...

A GREAT SHOW IS A GREAT SHOW NO MATTER WHEN YOU PLAY IT!



Week Before Easter . . . notoriously worst week of year in show business . . . "ROAD TO ZANZIBAR" opened in more than fifty keys and did standout business all along the line. Is outgrossing "Road to Singapore" anywhere from 10 to 65 per cent. HOLDOVERS? Of course!

Here's what the picture is doing:

Denver . .	65% above "R. to S."	Chicago . .	10% above "R. to S."
El Paso . .	40% above "R. to S."	Houston . .	10% above "R. to S."
New Haven .	30% above "R. to S."	Indianapolis	10% above "R. to S."
Phoenix . .	30% above "R. to S."	Kansas City .	10% above "R. to S."
Ft. Worth . .	25% above "R. to S."	Milwaukee .	10% above "R. to S."
Louisville .	25% above "R. to S."	Mobile . .	10% above "R. to S."
Memphis .	15% above "R. to S."	New York City	10% above "R. to S."
St. Louis . .	15% above "R. to S."	Poughkeepsie	10% above "R. to S."
South Bend . .	10% above "R. to S."		

Paramount Presents

BING CROSBY ★ BOB HOPE ★ DOROTHY LAMOUR

"ROAD TO ZANZIBAR"

with UNA MERKEL · ERIC BLORE · Directed by Victor Schertzinger

Screen Play by Frank Butler and Don Hartman

Paramount Pictures

Rise in Admission Tax Foreseen as U. S. Seeks Funds

(*Continued from page* 1)

and other excise levies but also to double the individual income tax rate and increase the corporation tax by possibly 25 per cent.

It is generally believed, however, that such a sharp increase in income taxes will not be acceptable to Congress, and suggestions have been made that they may be averted by the adoption of a general sales tax or a tax on payrolls.

The present Federal admission tax is one cent on each 10 cents or fraction thereof on tickets of 21 cents or more. The new rate was made effective July 1, last year. The previous tax, in effect since 1917, when it was enacted as a war measure, was one cent on each 10 cents or fraction thereof on tickets of 41 cents or more.

Calvert Will Act For Capra—Riskin

HOLLYWOOD, April 17.—Lowell Calvert, general sales manager for Selznick International, will act in the same capacity for Frank Capra and Robert Riskin in the matter of "Meet John Doe," which is being distributed by Warners. This arrangement, first disclosed in MOTION PICTURE DAILY, was finalized last week as between Selznick international officials and Capra-Riskin, it was learned here today.

MOTION PICTURE SOUND ENGINEERING

■

The Industry's leading sound engineers prepared this book for you!

547 pages, completely covering every practical method and process in present day sound engineering. Every detail of apparatus and its arrangement is minutely explained and profusely illustrated. Here is the practical answer to the perplexing problems of sound engineering. Order today!

$6.50 POSTPAID

QP

QUIGLEY BOOKSHOP
ROCEKELLER CENTER, NEW YORK

RKO Convention in N. Y. June 16-19, Depinet Says

(*Continued from page* 1)

the Hotel Edison, at which he was the principal speaker. About 250 persons, one of the largest Ampa turnouts of the year, attended.

The company's new season production schedule is expected to total 45 to 50 features, or approximately the same number as in recent years, Depinet indicated.

All RKO district and branch managers, office managers, bookers and salesmen, a large delegation of home office officials and some foreign representatives will attend the convention, Depinet said.

Depinet said that RKO does not anticipate "any great difficulty" in making the change to the new decree selling system and does not believe that it will need a "much, if any, larger" sales staff.

The operation of the Federal consent decree will bring about production of fewer and better pictures, Depinet declared.

Depinet said that RKO has been preparing for the new selling method of trade showings and sales in blocks of five since last December and has evolved a plan which will "greatly simplify our negotiations" with exhibitors. Depinet credited the plan to A. W. Smith, Jr., general sales manager, but did not divulge its nature.

However, he said: "We have no tricks up our sleeves. Since early December we have been compiling facts and figures concerning every theatre in the United States and we have more complete records than we have ever had before. Therefore, we are in better shape to deal with exhibitors everywhere under the consent decree. Naturally, we will do much more selling out in the field and we feel that under this plan there will be much closer and more intimate relations between the exhibitors and ourselves."

Optimistic on Decree

Declaring that he liked the old selling method better, Depinet, nevertheless, reflected an optimistic attitude toward decree operations, asserting that "we fully intend to do our best to make the new way work." He compared the new selling method with the British system, pointing out that the only apparent differences are that American distributors will be obliged to tradeshow their pictures in 32 exchange centers, as compared with Britain's 10, and that showing and selling will be limited to five features here, whereas the British distributor may preview and sell whatever number of pictures he may have on hand, without numerical limitation.

"The new system has its advantages for all of us," Depinet said, "and the most important in my opinion is that it shakes us all out of a groove and places us in the open and on our mettle to do a better job. The old, standardized system worked too smoothly for many and bred self-satisfaction, laziness and many other evils.

"Without doubt consent decree distribution should improve the quality of pictures because it will put the spotlight on the pictures which should not have been made. Producers will naturally be more careful of what stories and casts they put into productions," he said.

"As for exhibitors, it is logical that they will build up larger patronage if they screen all pictures before licensing and playing them, and really set out to cash in on all the value of each picture, and try to milk it dry.

"The old habit of pulling a picture and grabbing another whenever one doesn't measure up to expectations at the outset, without much help from the exhibitor, will not be so easy. We will have to do business with what we have and add to the effort of selling them instead of pulling them.

Exhibitor Responsibility Greater

"The responsibility of the exhibitor grows greater along with that of the distributor (under the decree)," Depinet asserted. "Intensive showmanship will be the order of the day, and the theatre press agent and the advertising man will be even more vital than in the past. There will have to be a stronger partnership between the producer and the exhibitor for their mutual advantage."

Sales of RKO's 1941-'42 short subjects compare favorably with last year's record although they are not being sold in conjunction with features, Depinet said.

Depinet was introduced by H. M. Richey, assistant to William F. Rodgers, M-G-M general sales manager. Richey formerly was an associate of Depinet's, having previously been in charge of exhibitor relations for RKO. On the dais in addition to Depinet and Richey were RKO officials including Richard C. Patterson, board chairman; A. W. Smith, Jr., general sales manager; Phil Reisman, foreign manager; J. J. O'Connor, theatre head; S. Barret McCormick, advertising and publicity director; Harry Mandel, theatre publicity manager, and Leon Bamberger, Ampa president, and Vincent Trotta, Ampa's president-nominee.

Ampa Ball Netted $2,200

Bamberger reported that Ampa's annual ball, held April 4, netted $2,200. The proceeds will go to the organization's welfare and relief fund.

Among those at the meeting were: Tom Connors, Sam Shain, Si Seadler, E. K. O'Shea, Max A. Cohen, Herman Robbins, Monroe Greenthal, Lou Pollock, Roy Disney, George Dembow, Malcolm Kingsberg, Charles Casanave, Leon Goldberg, Gordon Youngman, Walton Ament, Fred Ullman, David Palfreyman, Sidney Schreiber, Walter Trumbull, Joel Swenson, Fred Meyers, Max Fellerman, Gordon Douglas, Walter Reade, Leo Brecher, Harry Brandt, Louis Frisch, Joe Seider, Gus Eyssell, L. E. Thompson, M. G. Poller, Cresson Smith, Arthur Israel, W. J. Heineman, Harry Thomas, A. J. Richard, M. H. Aylesworth, Frank Buck, Harry Michalson, Robert Wolff, C. J. Scollard, James A. Cron, Herbert Fecke, Ray Gallagher, Lou Rydell, Charles S. Aaronson, John Stuart, Jr., and Gertrude Merriam.

Showmanship Flashes . . .

Blonde on Parade for 'Strawberry Blonde'

LINCOLN, Neb., April 17.—Alvin Hendricks, manager of the Varsity Theatre here, for "Strawberry Blonde," had Lincoln's closest approach to a strawberry blonde [illegible]lk the downtown area with a pin[illegible]ed youth. Both were garbed in the costumes of the '90's. They passed out throw-aways and talked loudly to draw crowds on street corners.

Ushers Personify Title In 'Girl, Guy' Stunt

Wilkes-Barre, Pa., April 17.—A girl, a guy and a gob, in the person of two ushers and a local girl, toured the city for two days in a rowboat on the chassis of a truck as part of Manager Fred Lee's campaign on "A Girl, A Guy and A Gob," at the Capitol here. Lee also tied up with a local magazine distributor for signs advertising the film on both sides of its trucks.

Girls in Car Plug 'Devil and Miss Jones'

SAN DIEGO, CAL., *April 17.—To exploit "The Devil and Miss Jones," playing at the State and California Theatres here, two girls, one dressed in a devil's costume and the other in a bathing suit, rode on the back of a sport model car at the peak traffic hours in and about the city.*

'Roundup Days' Used To Aid Autry Western

Fennimore, Wis., April 17.—A. O. Wirth, manager of the Fenway Theatre here, arranged a "Fennimore Roundup Days" campaign in connection with "Ridin' on a Rainbow," playing at his theatre. Fennimore merchants cooperated in setting bargain days in connection with the showing of the film. A huge postcard was signed by patrons, which actually was sent to Gene Autry, star of the film.

Warners in Tieup With RCA Victor

Warners has closed a two-picture exploitation tieup deal with RCA Victor on "Million Dollar Baby" and "Affectionately Yours." Dealer window displays will feature the tieup. A dealer tieup also has been arranged by Warners with RCA on the musical short subject, "Leo Reisman and His Orchestra."

Handsome Milkman Contest on 'Little Men'

SPOKANE, WASH., April 17.—A "handsomest milkman" contest was the highlight of the campaign on "Little Men," worked out by Manager Willard R. Seale of the Orpheum. Princes Valentine, Waikiki Dairy Co. prize-winning cow, pinch-hitted for "Elsie" in person at the theatre. Nightly stage events included cow-calling, cow-milking, and a contest to find a cow most closely resembling "Elsie." Girls with first names of "Elsie" were admitted free. A milk bar was set up in lobby, with free milk and doughnuts. In a Borden tieup youngsters were admitted for a can of milk, which was turned over to charity.

LADY FROM LOUISIANA

STARRING
JOHN WAYNE
ONA MUNSON
WITH
RAY MIDDLETON
HENRY STEPHENSON
HELEN WESTLEY

Screen play by Vera Caspary, Michael Hogan and Guy Endore • Original story by Edward James and Francis Faragoh • Director — Bernard Vorhaus

A VIBRANT ROMANCE

Pulsing with all the colorful thrills of gay New Orleans and its Mardi Gras,

A REPUBLIC PICTURE

RKO Finance Of $9,500,000 To Buy K-A-O

(Continued from page 1)

remainder, totaling about 20,000 shares, for approximately $2,500,000.

As collateral for the refunding transaction, it is reported, RKO is putting up certain fee-owned theatre properties.

RKO owns, practically all of the common stock of K-A-O and about 21,000 shares of the preferred, or approximately one-third of 64,300 shares of that stock outstanding. Because the K-A-O preferred has been in default of its back dividends, control of that leading theatre subsidiary of RKO several years ago passed into the hands of the preferred share holders, of which M. J. Meehan is the largest.

The unification of management and operations of all of the RKO subsidiaries has been a long sought undertaking by the present management. By this undertaking, RKO will have access to funds in the control of the theatre companies not now available to the parent company and, it is believed, will enable RKO to introduce a more simplified operation through unification of interest.

Malcolm Kingsberg is executive vice-president of K-A-O and John J. O'Connor is vice-president and general manager.

The consolidated net earnings of RKO, inclusive of theatre earnings, are estimated in Wall Street to run in the neighborhood of $1,000,000 for 1940.

The principal stockholder interests in RKO are Atlas Corp., Radio Corporation of America and Rockfeller Center, Inc.

'Hamilton Woman' Sets Easter Record

(Continued from page 1)

neighborhood of $107,000 for the comparative week.

The Korda picture and "Road to Zanzibar," as well as "The Great Lie," continue to be the leaders of the Broadway area, as good weather plus Easter vacations have helped swell the box-office takes. These pictures are supplemented by stage shows.

"The Great Lie" and Jimmy Dorsey's orchestra at the Strand for the first week, which ended last night, drew about $42,500. The show continues.

The second week of "Pot o' Gold" with a stage show at the Roxy was good for an estimated $36,500. The film was replaced yesterday by "The Lady from Cheyenne." At the Rivoli, "Meet John Doe" finished its fifth week Tuesday night with about $15,000 and is holding over.

"Escape to Glory," also known as "Submarine Zone," will bring the Globe about $4,200 for its second week ending tonight and will be replaced tomorrow by "Missing Ten Days." "Ride On, Vaquero" opens at the Rialto tomorrow, replacing "Flying Wild," which finished the week with an estimated $4,700.

Short Subject Reviews

"Marie Greene and Her Merrie Men"

(Warners)

Here is a tuneful little number which should please. The band decides to revamp an old-fashioned hotel and place it on a paying basis. Heard are "Gotta Have Rhythm," "Long, Long Ago," "Over the Waves," "Dixie," "Old Folks at Home," "Camptown Races" and "Alice in Rhumbaland." Running time, 10 mins.

"Porky's Preview"

(Schlesinger-Warners)

A real novelty in black and white cartoons. Porky opens a theatre of his own and exhibits a cartoon reel which he drew himself. In addition to the entertainment value, the reel should give the audience an idea of the craftsmanship which goes into the making of cartoons. Running time, 7 mins.

"Black Eyes and Blue"

(Columbia)

Here Roscoe Karns has trouble with his wife, his father-in-law, another man's wife and the other man and it all takes place in Reno. Karns follows his wife there to talk her out of a divorce but becomes innocently entangled with the other woman and her jealous, broad-shouldered husband. The father-in-law becomes suspicious and he too is involved. Matters are finally straightened out for the best after some funny slapstick. An amusing comedy. Running time, 16 mins.

"The Home Guard"

(Terry-Toons-20th Century-Fox)

The barnyard goes martial in this Terry-Toon color subject, and just in time to meet an attack by two hungry vultures. A love-sick goose, the last to join the home guard, emerges as the hero when the vultures have been vanquished. The reel is lively, amusing, and the color and good sound effects add to its merit. Running time, 7 mins.

"Symphony in Snow"

(20th Century-Fox)

The camera follows the ski trails of Yosemite National Park and returns with a notable scenic subject, crammed with action. Shots of skiing experts, and some not so expert, on the long mountain descents are always picturesque and frequently thrilling. Ed Thorgensen contributes a lively commentary. Running time 9 mins.

"Fishing Made Easy"

(Terry-Toons-20th Century-Fox)

Scientific fishing, as taught by book. is scorned by the cat in this Paul Terry cartoon, but the results achieved by the pig, who follows instructions to the letter, prove that there is more to the sport than fisherman's luck. The reel is of average amusement value. Running time, 7 mins.

"Toy Trouble"

(Schlesinger-Warners)

Sniffles, the mouse, and a bookworm invade the toy department after the store is closed. They have lots of fun playing with the toys until a cat appears on the scene. They escape after a hard chase. It is a color cartoon. Clever effects. Running time, 7 mins.

"The Miracle of Hydro"

(20th Century-Fox)

A good camera story of the Bonneville and Grand Coulee power and irrigation dam projects in the Northwest is provided in this subject, which goes far beyond the usual picturization of impressively huge construction projects of this kind. With the aid of Lowell Thomas' interesting narration, the subject provides an understanding of the region the dams will serve; the need for them and the uses to be made of them. Exceptionally good camera work contributes much to the subject. It is one of the Magic Carpet of Movietone series. Running time, 10 mins.

"Playing with Neptune"

(20th Century Fox)

Water sports of many kinds in many locales are caught by the camera for this "Sports Review" series release, described by Ed Thorgersen. From slow-motion shots of expert divers in action to thrilling surf-riding and aquaplaning sequences, the subject is always interesting and frequently exciting. Running time, 9 mins.

"Wings of Steel"

(Warners)

Produced in cooperation with the Army Air Corps, this two-reel short in color tells the story of four young men who enter training in the flying corps. Two fail to make the grade while the others succeed. Included is a description of their lives from the date of arrival until they win the right to wear wings on their uniforms. The subject has a timely appeal and tieups with the Army Recruiting Service should be easily arranged. Running time, 20 mins.

"Big Bill Tilden"

(Warners)

The famous tennis champion, William "Big Bill" Tilden, gives the audience a lesson in how to play the court game. Many of the fundamentals are explained and demonstrated by the slow motion camera. Arthur Q. Bryan, of radio fame, provides some comedy, although it is likely that the tennis fans would appreciate a straight reel on their favorite sport. It is in natural color. Running time, 10 mins.

"The Trial of Mr. Wolf"

(Schlesinger-Warners)

In this color "Merrie Melody," the wolf in the Red Riding Hood story is on trial for his part in that famous episode with the grandmother. While on the witness stand, Mr. Wolf gets a chance to tell his side of the story for the first time. According to him, Red Riding Hood and her Grandmother lured him into the woods just to get a new fur coat. The jury, however, gets definite proof of his guilt. It is really good. Running time, 7 mins.

"Meet the Stars, No. 5"

(Republic)

This newest of Harriet Parsons' series for Republic, subtitled "Hollywood Meets the Navy," shows a dozen notables of filmland looking into the situation at a Coast naval base. Charles Butterworth is on view, intermittently displaying some zany inventions which are amusing. Running time, 10 mins.

Hays Refutes Sen. Wheeler On War Films

(Continued from page 1)

in Salt Lake City, declared the Benedict Arnold of the present war might be found "on the silver screen."

Wheeler had declared furth[illegible] 'At present, the motion pictures, [illegible]ture length and newsreel, apparently are produced with the desire to incite the American people to demand war. They are cleverly directed for passion-arousing effect, and to bring an overwhelming call for convoys. And convoys, as any clear-thinking American will know, mean entrance of the United States into the European conflict."

Hays stated here that the production record in 1940 showed that of the 4,689 newsreel clips or subjects, 793, or 17 per cent, had to do with national defense.

"Of the 707 shorts produced in 1940, only 17, or 2.4 per cent, had to do directly or indirectly in any way with the war in Europe," he said. "Of the 530 features, 27, or five per cent, had any reference whatsoever or were in any way related to the European war, in detail, theme or story.

"No doubt the Senator has heard from someone who had interpreted some pictures to be war stimuli, but the facts deny the Senator's accusation."

Six Weeks' Salary To Warner Trainees

HOLLYWOOD, April 17. — Warners will give six weeks' pay guarantee to all drafted employes earning up to $100 weekly on a flat salary, and will reemploy them on their discharge, the company announced today. This will apply to those employed by Warners one year or more at the time of induction.

Hourly-rated employes who have worked 1,000 hours or more at the studio during the 12 months preceding induction will receive a sum equal to six times their average weekly wage, to be paid in 12 equal installments.

The amounts to be paid are not to exceed $600 to those either on a weekly salary or an hourly wage. Warners will also assume payment of group life insurance premiums.

Plans Ontario Theatre

TORONTO, April 17.—Mrs. G. B. Rahn, widow of the late proprietor of the Paramount Theatre at Hanover, Ont., now a thriving industrial center, has announced plans for the erection of a new theatre in that town, the original theatre having been acquired by other interests.

Change Guild Play Title

The Theatre Guild has changed the title of the play by Carl Zuckmayer and Fritz Kortner from "The Last Round" to "Somewhere in France." It is scheduled to open at the Guild Theatre May 7.

Opens Buffalo House

BUFFALO, April 17.—Basil Brothers have opened their newest neighborhood theatre here, the Apollo.

1941-42
INTERNATIONAL
MOTION
PICTURE
ALMANAC
1941-42
INTERNATIONAL
MOTION
PICTURE
ALMANAC

The 1941-42 International Motion Picture Almanac will be out when the new show year begins . . . the book of facts about the motion picture industry . . . a summary of the "picture year" of 1940-41 . . . full information about the season of 1941-42. Now in preparation.

Edited by

TERRY RAMSAYE

INTERNATIONAL MOTION PICTURE ALMANAC

RESERVE YOUR COPY NOW

Screen, Radio Fight Joining Copyright Pact

WASHINGTON, April 17.—American adherence to the Berne Copyright Convention might cost the theatre-going public from $40,000,000 to $80,000,000 a year as a result of the royalties which would be exacted by foreign licensing organizations, Senator Elbert D. Thomas of Utah was told today by Julian Brylawski, vice-president of the MPTOA.

One of several motion picture and broadcasting representatives scheduled to testify before a Senate Foreign Relations subcommittee, Brylawski, who was unable to appear, submitted his views through Sidney B. Lust, Washington exhibitor, who also complained of the threat of additional license payments.

Both exhibitor representatives argued that if the United States entered the Berne Convention the way would be paved for foreign copyright organizations to insist that theatres pay licenses as they now do to Ascap and warned that such impositions on top of heavy taxes and other charges now borne could not be absorbed by the theatre operators but would have to be passed on to their customers.

Charging that England is the only country anxious for American adherence, because of resentment against the requirement that books in English must be printed in this country in order to secure copyright protection, Fulton Brylawski, representing the MPPDA, told Senator Thomas that our entry now would be useless because the great majority of signatory countries are under Axis domination and it would be impossible for Americans, especially "non-Aryans," to obtain recognition of their rights.

Censures State Department

Fulton Brylawski charged that the State Department has been less than frank in its support of the measure and that the real pressure is coming from England.

He said that the department for several years appeared unaware that Holland had nullified its reciprocal copyright agreement with the United States and that he found it out when 20th Century-Fox, suing in Holland for infringement under that agreement, was held by the court to have no rights in the country. If the United States enters the convention at all, he said, it should be with reservations which he claimed could be made despite the convention's own rule that they would not be permitted.

Appearing on behalf of the broadcasters, Sidney M. Kaye of the National Association of Broadcasters testified that adherence would throw a vast amount of music now in the public domain into the protected area and, because of Axis domination, it would be impossible to contact copyright owners for licenses and the broadcasters and music publishers would lose large sums.

Kaye objected to the proposal that one year be given for revision of the copyright laws.

Off the Antenna

ABOUT six months ago, WNEW advertised in local newspapers that it was the "escape" station on which no news commentator was to be heard. Yesterday the station signed John B. Kennedy as commentator, to be heard Mondays through Saturdays 7:30-7:45 P.M. on a sustaining basis. At the same time, it was announced that Norman Brokenshire will do a series of straight news broadcasts over the station Mondays through Saturdays 5:15-5:30 P.M., also on a sustaining basis. Both programs will start Monday.

• • •

Purely Personal: *Jack Knell of the CBS special events staff here has been transferred to Charlotte, N. C., where he will direct special events and news for the Dixie Network . . . Because of the illness of Robert Shelby, NBC development engineer, who was to be the speaker, Robin D. Compton, network television engineer, yesterday addressed the Signal Corps Association on television at Governors Island . . . John Richmond has joined the CBS publicity department's magazine division . . . Lee Vickers, WJSV, Washington, announcer, has been chosen by the U. S. Department of Agriculture to do the commentary on a series of film shorts which the Department is producing . . . Ted Morris, who was in the recording business in Chicago, has joined WJSV as engineer . . . A. B. Chamberlain, CBS chief engineer, will address the Washington section of the Institute of Radio Engineers May 12 on CBS short wave transmitters . . . Dan Hosmer, of the WLS, Chicago, production staff, will join the continuity and production departments of KSO-KRNT, Des Moines. He succeeds Marian Schissel, who will be married tomorrow to Herbert Pike.*

• • •

Three sports events constitute the NBC television schedule for next week. There will be an amateur boxing pickup Monday night, the baseball game between Fordham and St. Johns Wednesday afternoon, and wrestling Friday night.

• • •

WMCA will broadcast the "Ziegfield Cavalcade" from the Waldorf-Astoria Tuesday from 12:30 to 1:30 A.M., presented for the benefit of the British War Relief. Excerpts from 17 Ziegfeld shows will be performed. Ned Wayburn will produce the show. Some of the participants are Meyer Davis and his orchestra, Jane Winton, Sophie Tucker, Ann Pennington, Gus Van, Eddie Cantor, Ina Claire, John Steel, Irving Fisher, Ethel Shutta, Gilda Gray, Vivienne Segal, James Barton, Larry Adler, Harry Richman, Hal LeRoy and Anne Mace.

• • •

Program News: *American Oil has renewed the Edwin C. Hill newscasts Monday through Friday, 6 to 6:10 P.M. for the third year on a hookup of 50 CBS stations . . . Starting Monday, Dick Dudley, writer and master of ceremonies of "Who's Blue," three days weekly over NBC-Blue, will take over those duties for the full week. It is heard Monday through Saturday, 8:15 to 8:45 A.M. . . . NBC short wave is starting a new series, "New York Town," which will describe points of interest here for listeners in Great Britain and possessions . . . Martha Sleeper and William Harrigan have joined the cast of "We Are Always Young," WOR serial drama . . . Penfold Golf Balls will sponsor over WMCA, scores of the Goodall Round Robin Golf Tournament to be held in Flushing, L. I., beginning May 22. A feature of the summary will be a transcribed description of outstanding shots. Five-minute programs will be used for four days and an extensive schedule may be used later if the test is successful, it was reported.*

• • •

Coast League baseball games in Seattle are being broadcast over KRSC instead of KJR, as last year. KJR is an NBC-Blue outlet. Wheaties and Goodrich Tires are sponsors of the games over KRSC.

One FM, Two Standard Permits Given

WASHINGTON, April 17.—The FCC has issued construction permits for one new FM station and two regular broadcasting stations.

The FM station is to be constructed by St. Louis University, St. Louis, to operate on the 45,100-kilocycle channel to cover 13,000 square miles with a population of more than 1,500,000. The other stations will be built by the Inter-City Advertising Co., Charlotte, N. C., to operate on 610 kilocycles with 1,000 watts power, and Ruben E. Aronheim, Fitchburg, Mass., to operate on 1,340 kilocycles with 250 watts.

Permits Frequency Changes

The commission also authorized Stations KTRH, Houston, Tex., to change frequency from 1,290 to 740 kilocycles and increase power from 1,000 watts night, 5,000 watts day to 50,000 watts; KXYZ, Houston, Tex., to change frequency from 1,470 to 1,320 kilocycles, and increase power from 1,000 to 5,000 watts; KAND, Corsicana, Tex., to increase power from 100 to 250 watts; KXL, Portland, Ore., to change frequency from 1,450 to 750 kilocycles, change hours of operation from sharing to limited and increase power from 250 to 10,000 watts; and KTRB, Modesto, Cal., to increase power from 250 to 1,000 watts.

Hearings were ordered on the applications of Stations WMBR, Jacksonville, Fla., for increase of power from 250 to 10,000 watts and change of frequency from 1,400 to 1,060 kilocycles; WDAE, Tampa, Fla., for increase of power from 5,000 to 10,000 watts, change of frequency from 1,250 to 740 kilocycles and move of transmitter from Tampa to Thontosassa, Fla., and KVOA, Tucson, Ariz., for change of frequency from 1,290 to 590 kilocycles.

Color Only in CBSTelevision Starting June 1

(Continued from page 1)

pletely abandon black-and-white images and will transmit with full color, according to Mur[illegible]

At a stockholders' meeting W[illegible]esday, it was disclosed that CBS has applied for patents on the color television system developed by Dr. Peter C. Goldmark, chief television engineer, and that the patents are pending. Although the network does not generally hold patents, it was explained at the meeting that CBS will include color television patents among its assets, when the patent is granted, and license manufacturers who plan to make color television transmitting or receiving apparatus.

Little Manufacture Interest

Thus far, however, there has been little interest expressed by manufacturers in making such equipment. In January, CBS called together manufacturers to determine if any would make about 30 receivers to be used for field testing, but no acceptance was received. However, the National Television Systems Committee, in its report to the FCC, recommended the Goldmark system for color when television is ready to move forward from black-and-white, and it is expected that regular telecasting in color by CBS may spur interest in the development of sets equipped to receive it.

DuMont Completing Transmitter

Meanwhile, the Allen B. DuMont Laboratories reported that its transmitter "nears completion" and that, with the installation of two additional units it will be ready to go on the air. Fluorescent lighting has been installed in the studio for live talent pickups and glare and heat have been reduced considerably, DuMont engineers declared.

WMCA Personnel Changes Are Made

A number of personnel changes were announced yesterday at WMCA. Alma Graef, contract manager who has been with the station since 1934, has resigned, effective April 25.

Carroll Bagley, formerly assistant sales manager for Dufay Color Film Corp., has joined the station's sales staff. Fairlie Myers, formerly feature writer for the *Savannah Morning News,* has joined the expanded continuity department which now includes Raymond Sweeney, director, Irwin Naitove and Edwin Weisman. Jack Davis, member of the WMCA production staff, will be inducted into the Army this morning.

Hershey New Head of Overseas Press Club

Burnet Hershey, WMCA foreign news commentator, yesterday was elected president of the Overseas Press Club. Radio figures elected to the executive board include Guy Hickok, H. V. Kaltenborn, Waverly Root, Johannes Steel, Herbert Bayard Swope, Linton Wells and Wythe Williams.

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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
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Impartial

V 49. NO. 77 NEW YORK, U. S. A., MONDAY, APRIL 21, 1941 TEN CENTS

NBC Testing Film Records Of Television

Would Provide Repeats Of One-Time Shows

NBC is conducting preliminary experiments for the recording of television programs on film. Two methods are under consideration, one by photographing the image as received and the other by photographing the program with a film camera synchronized with the television camera.

Principal purpose of the experiments, it is understood, is to provide repeat shows in the event television goes coast-to-coast on a network basis when differences in time make repeat shows necessary.

Another major consideration is theatre television where repeat telecasts could be made of afternoon events for evening audiences. World Series baseball games, which would be a big attraction for large screen television, are among the events being considered.

News events which occur during daytime hours are also suitable for repeat telecasts. For example, it was pointed out, a big fire could be telecast and then repeated later for theatre

(*Continued on page* 8)

Indiana ATO Elects Johnson and Wolf

INDIANAPOLIS, April 20.—Herbert Johnson, exhibitor in Madison and Rensselaer, Ind., has been elected vice-president of the Indiana A. T. O. and Marc J. Wolf treasurer.

Bankers Trust and Coast Bank in K-A-O

In the $9,500,000 refunding which is being considered for Keith - Albee - Orpheum, not the parent company, RKO, one of the banks which is interested in the transaction is the Bankers Trust Company. The First of Boston Co. is not involved. The bank syndicate which will participate, it has been learned over the weekend, will include a Los Angeles institution. The money will be used to refund certain K-A-O bonds and otherwise provide for purchase of the M. J. Meehan preferred shares, for the benefit of RKO.

Film Industry Contributed $104,833 To $404,833 Fund for Greek Relief

Hollywood, April 20.—Samuel Goldwyn, chairman of the Motion Picture Permanent Charities Committee, reports that the drive for Greek War Relief has resulted in a total contribution of $404,833.04. Of this sum $104,833.04 was contributed within the industry and $300,000 was collected in voluntary contributions by listeners to the broadcast from Grauman's Chinese Theatre. In his report, Goldwyn states:

"It should be a source of great satisfaction to all who participated in the various phases of the drive to know that as a result of the community effort, this industry has taken first place among all other industries in this country in the collection and contribution of funds for charity.

"To all who donated their time, money and talent to the drive, the Committee desires to extend its deepest thanks and appreciation."

Local Film Buying For W. B. in Phila.; Ed Hinchy in Charge

A step toward further decentralization of Warner Theatres film buying in preparation for operations under the Federal consent decree was taken by Joseph Bernhard, general manager, on Friday with the appointment of Ed Hinchy, a member of the home office staff, to the post of head film buyer for the circuit's Philadelphia zone.

In addition, Ted Schlanger, Warners Philadelphia zone manager, transferred Lester Krieger, head of the booking department, to new duties in connection with the operation of the city theatres in the Philadelphia zone.

Hinchy's appointment, which is ef-

(*Continued on page* 7)

Regional Actions Vary on Daylight

Mixed reactions to Daylight Saving Time are still evident in various regions despite the tendency toward its adoption because of the defense program. The Altoona, Pa., city council has adopted Daylight time to go into effect April 28 for the first time since World War.

Gov. Keen Johnson of Kentucky has refused to approve adoption of Daylight time by the city of Louisville because of conflicting opinions about the legality of a state law which prohibits Louisville from making a time change without the consent of the governor.

The M. P. T. O. of Kentucky, through C. W. Krebs, secretary, told the Governor that polls conducted in many Louisville theatres showed that patrons were overwhelmingly against the change.

Pittsburgh Blackout 'Show' Competes With Film Houses

By MORT FRANK

PITTSBURGH, April 20. — A five-minute test blackout by this city Friday night competed with motion pictures as Pittsburgh's chief entertainment. The demonstration proved to be a real show. Thousands of citizens, afoot and in cars, lined the main traffic arteries, and thousands more watched from atop Mt. Washington and other elevations.

Theatre men did not begrudge the loss in business, however, as it was all for the nation's good. The test, covering a residental area of more than a million persons, was pronounced

(*Continued on page* 7)

Flexible Policy for Newspaper Stations

WASHINGTON, April 20.—A flexible policy will be developed by the FCC with reference to newspaper ownership of broadcasting stations, FCC Chairman James L. Fly, on Friday told the Senate judiciary committee. Fly declared that the commission will attempt to deal with the problem in such a way as not to freeze any situation. The policy must not be so inflexible as to work against the best interests of broadcasting, newspapers or the public, he asserted. Hearings will start soon, he said.

First Cases In Arbitration Filed on Coast

Los Angeles Gets Two; One in Portland

The Pacific Coast arbitration boards, which have been without a single complaint since their opening on Feb. 1, were given their first cases on Friday. Two complaints were filed with the Los Angeles tribunal and one at Portland. The San Francisco and Seattle boards are still without complaints.

In addition, two complaints were filed at the Dallas board, and are the only cases now pending there. The first and only other case filed in Dallas was settled recently prior to hearing.

One of the two Los Angeles cases seeks a complete revision of the clearance schedule for the San Gabriel area, rather than simply an adjustment of the complainant's own clearance. For that reason, attorneys expressed doubt as to whether the complaint qualifies under the arbitra-

(*Continued on page* 7)

Variety Clubs Set Banquet Program

PITTSBURGH, April 20.—Former Attorney General William McCraw of Texas will be toastmaster at the banquet concluding the seventh annual National Variety Club convention which will be held in Atlantic City, May 15 to 17, national officials here disclosed.

Other speakers scheduled include J. Edgar Hoover, Fulton Oursler, Postmaster General Frank C. Walker and Father Flanagan of Boys Town. Film players and performers from other entertainment fields will provide entertainment at the convention's Friday night session.

Lesser Reported to Head RKO Studios

Hollywood, April 20. — Sol Lesser is under consideration for RKO studio chief by George J. Schaefer, president, according to local reports. Lesser is at present under contract to produce for United Artists and the RKO deal reportedly depends on his ability to obtain release from his U. A. obligations.

Walk, Don't Run

Philadelphia, April 20.—Unnoticed for many years, a sign on a side door of Warner's Park here, now is attracting wistful glances from able-bodied, young male patrons. It reads: "To Avoid the Draft, Please Use Main Exits."

Phila. Variety Units Settle Differences

PHILADELPHIA, April 20.—Differences between the local chapter of the American Guild of Variety Artists and the independent United Entertainers Association were resolved when the latter agreed to lend its support to the actors' union during a meeting at the Hotel Commodore here yesterday.

The settlement was made possible by the promise of support of Thomas Kelly, executive secretary of the U. E. A.

As a result of the united front, the following were nominated for AGVA offices, with the election to be held within 30 davs: Al Rea, James Walker, Ben Perry, for president; Kli Ban, Dan Montgomery, Robert Mack, first vice-president; William De Mayo, Joseph Campo, second vice-president; Edward Schwartz, Frank Dawling, third vice-president; William Maples, Betsy Bain, recording secretary; Martin Wayne and William A. Jones, treasurer.

PHILADELPHIA, April 20.—James Loughran was named president of the Entertainment Managers Association. local organization of licensed booking agents, replacing Jack Maser, resigned.

Fairbanks Gets Navy Reserve Commission

WASHINGTON, April 20.—Douglas Fairbanks, Jr., who made application for a commission in the Naval Reserve in May, 1940, was sworn in as a lieutenant, junior grade, in the Reserve last week, it was announced by the Navy Department yesterday.

Navy officials said there was no immediate prospect of Lieutenant Fairbanks being called to active duty.

Mrs. Vogel Rites Held

Funeral services for Mrs. Florence Vogel, who died Thursday in Miami, were held here yesterday at Riverside Memorial Chapel. Burial was at Riverside Cemetery, Rochelle Park, N. J. Mrs. Vogel was the mother of A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald.*

Don't Forget....
You Have a Date....
National Convention of
The Variety Clubs
of America
Traymore Hotel
Atlantic City, N. J.
May 15th, 16th & 17th

Personal Mention

GUS EYSSELL, assistant managing director of the Radio City Music Hall, has left for a vacation in the South.

●

WILLIAM SUSSMAN, Eastern division manager for 20th Century-Fox, returns today from Boston.

●

BEN BROWN, chief of Warners' projection in Pittsburgh, and HARRY FEINSTEIN, head Warner booker there, are in Havana for a vacation.

●

SAM GROSS, 20 Century-Fox Philadelphia manager, will leave for a vacation on the Coast with his family soon.

●

GEORGE E. FRENCH, manager of the RKO Albee, Providence, is due here today on a business trip.

●

LEW LEFTON, Monarch Pictures manager in Pittsburgh, and MRS. LEFTON celebrated their 23rd wedding anniversary last week.

●

EARL LORENTZ, 20th Century-Fox salesman in Minneapolis, has recovered from pneumonia.

●

JOE HORNSTEIN is expected back from Miami tomorrow.

●

MEL HYMAN of Philadelphia has enlisted in the Army.

HARRY COHN, Columbia president, left for the Coast over the week-end after a two weeks' visit at the home office.

●

E. S. GREGG, Erpi general foreign manager, left for the Coast over the weekend en route to the company's offices in the Far East.

●

EDWARD J. O'DONNELL, Warner booker in Philadelphia, will be married to KATHRYN M. HECK in St. Bonaventure's Church there Saturday.

●

JOHN PERAKOS, son of JOHN PERAKOS, New Britain and Thompsonville, Conn., exhibitor, has enlisted in the Army Air Corps. TOM GROGAN, formerly of the Circle, Manchester, will manage the Strand at Thompsonville in his absence.

●

ALVIN GOODWIN of Philadelphia became the father of a daughter, born to MRS. GOODWIN at Mt. Sinai Hospital there last week.

●

JOSEPH KENNEDY of Philadelphia underwent an appendicitis operation at the Stetson Hospital there over the weekend.

●

NORMAN TAUROG, M-G-M director, left for the Coast over the weekend.

Mannix, Nayfack to Confer with Schenck

E. J. Mannix and Nicholas Nayfack, M-G-M studio executives, arrived from the Coast by train over the weekend for business conferences with Nicholas M. Schenck, Loew's-M-G-M president, and other home office executives.

They were accompanied by Mrs. Nayfack, Norma Shearer and Ann Sothern. Miss Shearer is in New York for a vacation and Miss Sothern came East to witness a performance of "Panama Hattie." She will have the leading role in M-G-M's screen version of the play.

Snowstorms Blow to Grosses in Montana

HELENA, April 20.—Unexpectedly heavy snowstorms throughout Montana during the latter half of last week made heavy inroads in theatre business for several days. Continuous snowfall tied up both pedestrian and motor traffic. A break in the weather occurred over the weekend and exhibitors are hopeful that attendance will be back at normal by tonight.

Wynn on RKO Field Staff

Ted Wynn, formerly motion picture editor of the *Milwaukee Post,* has been placed in charge of RKO field exploitation in the Buffalo and Albany exchange districts by Terry Turner, head of the field staff. James Boyle will be transferred from the up-State New York territory to Chicago, where he will be assistant to Robert Hickey.

Pickwick Asks Jury Trial

NEW HAVEN, April 20.—Trial by jury was demanded by plaintiffs in the $5,452,575 damage suit of the Pickwick, Greenwich, against major distributors and Skouras Theatres, pending in Federal district court here.

Jos. McKeown Dead; Hold Rites Today

CHICAGO, April 20.—Funeral services will be held here tomorrow for Joseph McKeown, 37, general supervisor and advertising manager of Schoenstadt Theatres.

McKeown, who had been employed by the local circuit for the past 11 years, died of a heart attack on Friday shortly after playing a game of handball with two Schoenstadt managers, Murrell Boehm and Frank Walsh.

Exhibitors Oppose Projector Measure

NEW HAVEN, April 20.—Hearing on a bill to require exhibitors in Connecticut to install a safety control device to eliminate fire hazard on projection machines was held at Hartford before the judiciary committee of the legislature yesterday.

Irving C. Jacocks, Joseph Reed, Al Robbins and Lou Phillips appeared.

Sullivan to Navy Duty

William W. Sullivan, manager for 20th Century-Fox in the Panama Canal Zone and officer in the Naval Reserve, has been ordered to report May 1 for active naval duty, the home office has been notified. He will serve as a public relations officer.

Kulick Ordered to Navy

Bert Kulick, treasurer and New York franchise holder of Producers Releasing Corp., has been ordered to active duty at the Naval Air Station, Lakehurst, N. J., on May 1. He is a lieutenant in the Naval Reserve.

Piazza Due Here Today

Ben Piazza, RKO talent executive, is expected here today from the Coast. He will look over the Broadway plays.

British Exhibitors Want Lower Quota

LONDON, April 20.—A reduction or abolition of the exhibitors' quota during the war is still the policy of the Cinematograph Exhibitors Association despite its agreement with the Kinema Renters Society (distributors) that the real solution to present problems is an increase in production which would enable meeting the quota.

This was made clear in the [illegible] reply to the Board of Trade proposals regarding the revamping of trade practices. The KRS, on the other hand, emphasizes to the Government agency the immediate urgency of releasing men, studios and materials for production.

The KRS reply claims that the Board's suggestions touch on the fringe of the problem, but agrees that some amelioration may occur if the barring (protection) clauses are altered. The distributors have long paid attention to this and would welcome some alteration, the KRS reply says.

The CEA asks that the quota be cut to 15 per cent or abolished or that production be increased. It urges that technicians be reserved militarily for production and suggests that unless projectionists are exempted or deferred 50 per cent of the British theatres will have to close.

Harmon Tells D. A. R. Films Aid Defense

WASHINGTON, April 20.—A review of the film industry's work in cooperation with national defense was given the Fiftieth Continental Congress of the Daughters of the American Revolution here on Friday by Francis S. Harmon, assistant to Will H. Hays and coordinator for the M. P. Committee Cooperating for National Defense.

Harmon described the activities of newsreels and feature and short subject producers with the defense agencies and the armed services, and told about the cooperation of 10,000 exhibitors.

Moray Back from Trip

Norman Moray, Warners short subject sales manager, returned over the weekend from a two-months' trip during which he visited the company's branches and the studio, where he conferred on new season plans for shorts.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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THREE MEN

Rene Clair, directing . . .

with the insight into drama and humor values that characterized his "The Ghost Goes West" and other masterpieces —

Joe Pasternak, producing

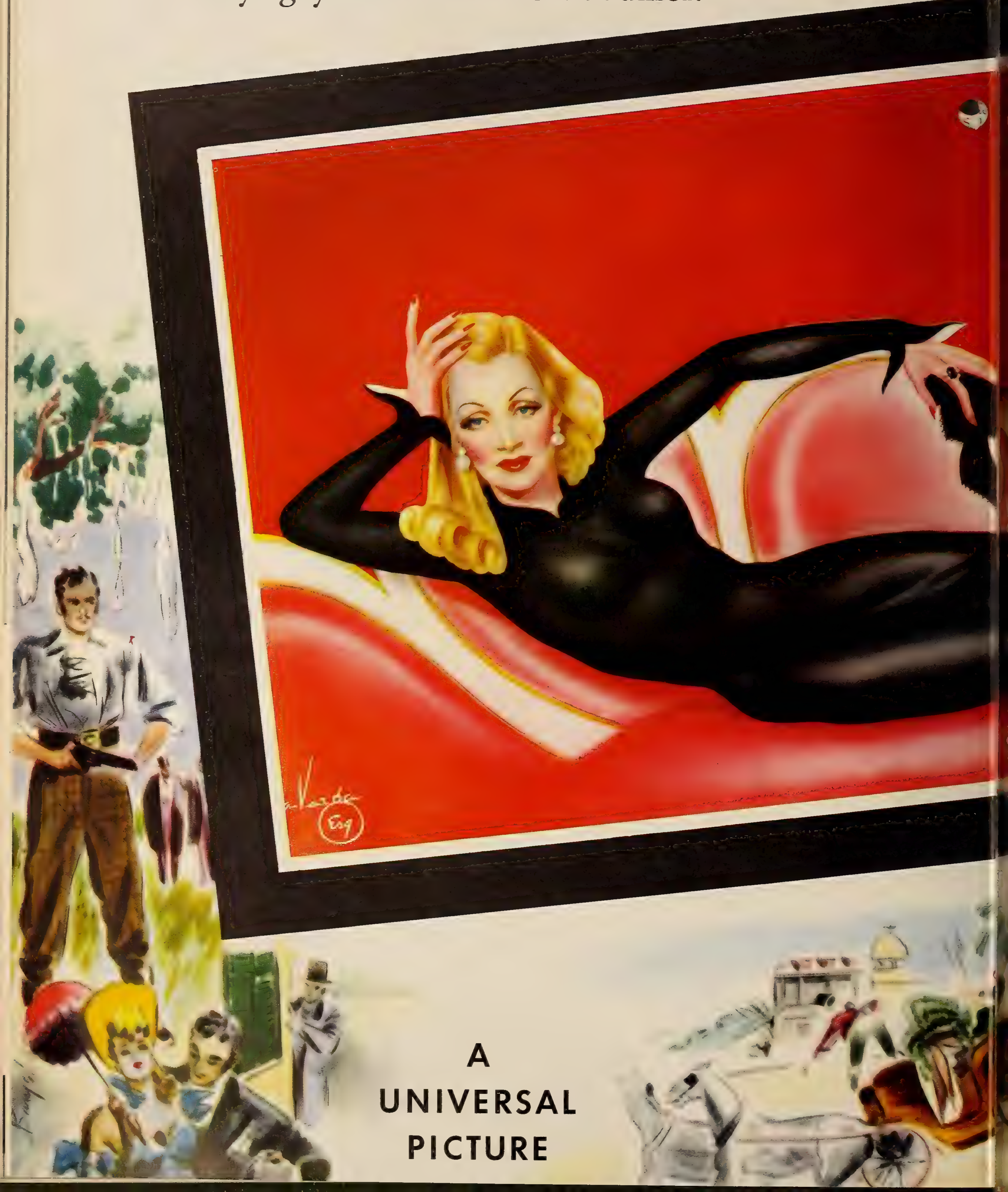
with the unparalleled touch for successful entertainment that has made his pictures an unbroken series of hits.

Norman Krasna, writing

with the knowledge of the world and its humans that has made him the most desired writer in the industry today.

HAVE MADE A MASTERPIECE!

The women who whispered about her . . . resented the men who wondered about her . . . in a city always gay with full-flavored rumor.



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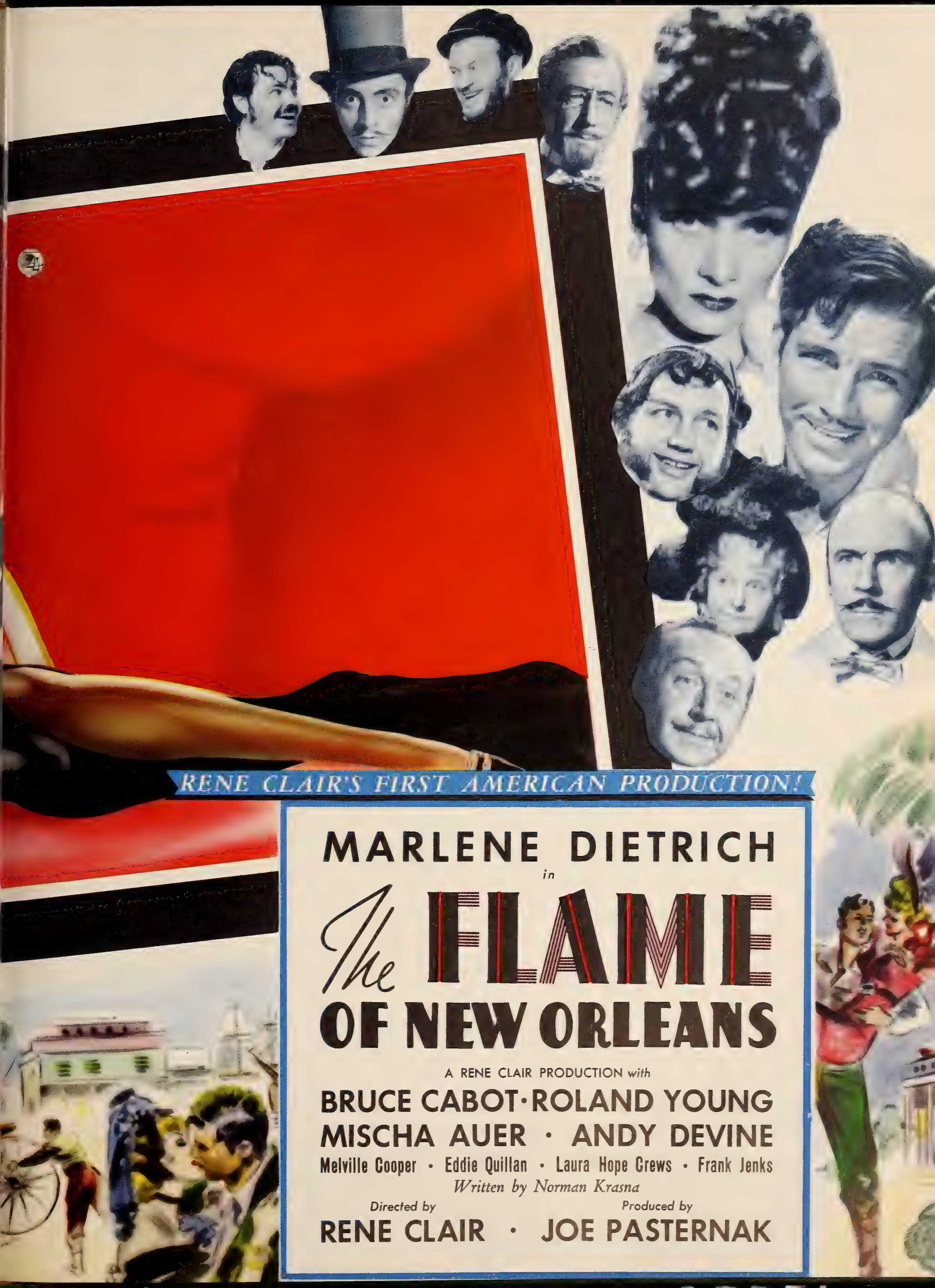


RENE CLAIR'S FIRST AMERICAN PRODUCTION!

MARLENE DIETRICH

in

The FLAME OF NEW ORLEANS

A RENE CLAIR PRODUCTION *with*

BRUCE CABOT · ROLAND YOUNG

MISCHA AUER · ANDY DEVINE

Melville Cooper · Eddie Quillan · Laura Hope Crews · Frank Jenks

Written by Norman Krasna

Directed by **RENE CLAIR** · *Produced by* **JOE PASTERNAK**

BOYS—if you'll Book QUICKLY. You'll rest EASY! ...FLAME OF NEW ORLEANS is destined... to draw the biggest CROWDS. that ever rolled up to your BOX OFFICE!

WORLD PREMIERE!
NEW ORLEANS APRIL 24
NATIONAL RELEASE APRIL 25th

First Cases In Arbitration Filed on Coast

(Continued from page 1)

tion rules. The complaint is by O. W. Lewis, operator of the Mission P[illegible]house, San Gabriel, against all f[illegible] consenting companies.

The complaint contends that San Gabriel theatres should not be required to play more than 28 days after Pasadena first runs, and to establish that new schedule it asks that clearance for the entire San Gabriel area be revised accordingly.

The other Los Angeles complaint, also on clearance, was brought by the Campus Theatre, Los Angeles, against the five consenting companies, and names the Sunset, Clinton and Hunley's theatres as interested parties. It asks an adjustment of the clearance of those theatres over the Campus in order that the latter may raise its admission price from 15 to 20 cents.

'Some Run' Case in Portland

The Portland complaint was filed by P. R. Henderson, owner of the Rialto at Albany, Ore., and asks "some run" of Loew's, 20th Century-Fox, RKO and Warners.

In Dallas, the Normana Theatre, El Campo, Tex., owned by Ruben Frels, filed a complaint asking "some run" of all five consenting companies and the Campus Theatre, College Station, Tex., filed a clearance complaint against all five companies. The latter complaint asserts that the Palace, Queens and Dixie at Bryan, Tex., have 30 to 45 days clearance over the Campus, and asks that the prevailing schedules be reduced.

The hearing of the clearance and "some run" complaint of the Ellet Amusement Co., Akron, against all five companies, which had been scheduled to open on Friday before Arbitrator Daniel B. Cull at the Cleveland tribunal, was postponed to May 14. A postponement of the West 18th Street Theatre, Erie, complaint against all five companies, which is scheduled for hearing on Wednesday at the Pittsburgh tribunal, also is expected. Defendants have asked that the hearing be postponed to May 12.

Counsel Ill, Detroit Hearing Off to May 10

DETROIT, April 20.—The arbitration clearance complaint of the Midtown Theatre here against four consenting companies, which was scheduled for hearing yesterday, was postponed to May 10, due to the illness of the attorney for Julius and Milton London, complainants.

Local Film Buying For W.B. in Phila.

(Continued from page 1)

fective on May 1, was described by Warners as the "first" move in adapting the circuit's executive staff to consent decree operating requirements. It is assumed, therefore, that other similar changes will be made.

Operating control, including final supervision of film buying, however, will remain under Bernhard and Clayton Bond, head film buyer.

Pittsburgh Blackout 'Show' Competes With Film Houses

(Continued from page 1)

"80 per cent" successful by Major E. S. Aetzel, in charge of maneuvers, although the blackout revealed a necklace of building lights and street signs that would have made the city an easy target.

Theatres shut off marquee and lobby lighting at 10:10 P.M. and all Government building lights and street illumination was off for the five minutes. Not all business houses cooperated, however.

Remained lighted, the city's many bridges were a guidepost to the Golden Triangle business district for the mythical enemy, simulated by a squadron of eight planes overhead.

The sky was bright with a glow from the steel mills, where workers were busy manufacturing defense materials. Pittsburgh would be one of the first objectives of a real enemy.

Trolleys stopped dead and automobiles pulled over to the curbs at the start of the blackout. Police sirens sounded throughout and all police and fire forces were on duty in the streets, augmented by the American Legion and the Veterans of Foreign Wars.

KDKA broadcast a stygian rehearsal and mock air raid for a half hour, including a talk by Mayor Cornelius D. Scully.

'Zanzibar' Tops Dull Week in New Haven

NEW HAVEN, April 20.—The Paramount playing "Road to Zanzibar" and "The Roundup" grossed $7,500 to lead the city in a slow week. The bill is being held an extra week.

At the Roger Sherman "The Great Lie," dualled with "The Great Mr. Nobody" grossed $6,000 and also stays a week.

The Loew-Poli with "That Night in Rio" and "The Bank Dick" fell to $7,000, but moved to the College for a second week.

Second week of "Come Live With Me" and "Dead Men Tell" took $2,000 at the College.

Estimated receipts for the week ending April 17:

"Come Live With Me" (M-G-M)
"Dead Men Tell" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days. 2nd week. Gross: $2,000. (Average, $2,700)

"That Night in Rio" (20th-Fox)
"The Bank Dick" (Univ.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $7,000. (Average, $8.000)

"Road to Zanzibar" (Para.)
"The Roundup" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $7,500. (Average. $4,500)

"The Great Lie" (W. B.)
"The Great Mr. Nobody" (W. B.)
ROGER SHERMAN—(2.200) (39c-50c) 7 days. Gross: $6,000. (Average, $5,000)

Dinner for Abe Weiner

PITTSBURGH, April 20.—The Variety Club here will give a testimonial dinner on May 12 to Abe Weiner, recently promoted from United Artists exchange manager in Pittsburgh to a similar post in Boston.

Manager Kidnapped

PHILADELPHIA, April 20. — John Pucci, manager of the Globe, was kidnapped and robbed of $56 after an hour's ride through the city outskirts yesterday.

OPM Limits Trade On Aluminum Use

WASHINGTON, April 20.—The motion picture industry beginning next month will be limited to from 30 to 60 per cent of the high-grade aluminum which it consumed during 1940, under an index classifying industrial consumers of the metal which was issued over the weekend by the Priorities Division of the OPM.

The index rates non-defense consumers of aluminum, with users of high-grade aluminum limited from 10 to 80 per cent of their former orders, depending on their respective classifications, while users of the low grade of the metal may be given from half to their full requirements.

Motion pictures, through a B4 rating, are entitled to 60 per cent of their high-grade or 90 per cent of their low-grade aluminum requirements, as based on their 1940 use. Makers of projectors and sound screens, rated B6, get 40 per cent high-grade or 70 per cent low grade.

Heat Retards Balto. Grosses; 'Town' $12,000

BALTIMORE, April 20.—The week made a substantial start after Easter but an unexpected spell of sultry weather held grosses down. Final figures for the seven day period were disappointing. Loew's Century with "Men of Boys Town" did a fair $12,000.

Estimated receipts for the week ending April 17:

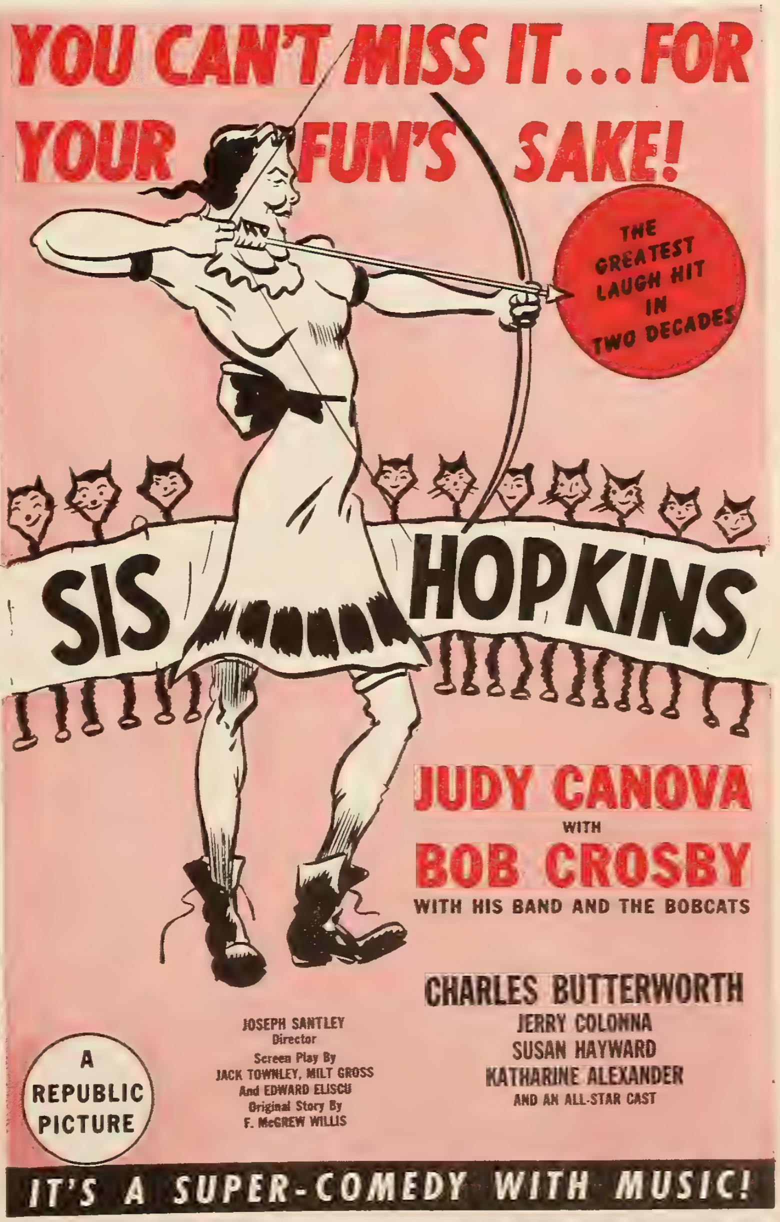
"Men of Boys Town" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $12,000. (Average, $10.000)

"The Lady from Cheyenne" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $9,000. (Average, $9,000)

"That Night in Rio" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $9,000. (Average, $7,000)

"The Great Lie" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $12,000. (Average, $12,000)

"The Devil and Miss Jones" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Salici's Marionettes and four other variety acts. Gross: $16,000. (Average, $14,000)


YOU CAN'T MISS IT... FOR YOUR FUN'S SAKE!
THE GREATEST LAUGH HIT IN TWO DECADES
SIS HOPKINS
JUDY CANOVA
WITH
BOB CROSBY
WITH HIS BAND AND THE BOBCATS
CHARLES BUTTERWORTH
JERRY COLONNA
SUSAN HAYWARD
KATHARINE ALEXANDER
AND AN ALL-STAR CAST
JOSEPH SANTLEY Director
Screen Play By JACK TOWNLEY, MILT GROSS And EDWARD ELISCU
Original Story By F. McGREW WILLIS
A REPUBLIC PICTURE
IT'S A SUPER-COMEDY WITH MUSIC!

NBC Testing Film Records Of Television

(*Continued from page* 1)

audiences. In this respect, theatres equipped with large screen television would have an advantage over newsreels because it would be possible to develop the one print needed immediately and provide evening audiences with spot news coverage even on nights when no major television attraction was scheduled.

It was pointed out that in England, before the war, it was a common practice to film studio dramatic performances which were telecast at night and show the film again the next morning. If the FCC requires a large number of operating hours weekly by each station, this type of repeat telecast may cut costs considerably.

One of the purposes of taking the picture off the receiver is to permit the re-telecast to be seen exactly as it was on the original. However, it is believed that some type of synchronizing device may be developed to permit both the television and film cameras to work in unison so that the particular image which is being telecast can be picked up by the film camera. Both television cameras are in use at the same time but only one image is selected at the master control room for telecasting and some form of synchronization with the film camera is therefore necessary.

Trendle Is Again Detroit Fire Head

DETROIT, April 20.—George W. Trendle, president of the King-Trendle Broadcasting Corp. here and formerly President of United Detroit Theatres Corp., has been reappointed Fire Commissioner of Detroit for another four years. At the completion of his new term, he will have served 20 years in that important municipal post.

Louis Ramm Promoted

Louis E. Ramm, former sales promotion manager, has been elevated to resident sales manager of the newly opened Washington, D. C., branch of Equity Film Exchanges, Inc., it is announced by Bernard H. Mills, general sales manager of the company.

Dietz Number at Ball

A vocal and ensemble number arranged by Howard Dietz M-G-M advertising and publicity director, and Ned Wayburn will be given at the sixth annual ball of the Ziegfeld Club at the Waldorf-Astoria tonight.

S. P. G. Elects Hochfeld

Harry Hochfeld, artist employed by 20th Century-Fox, has been elected first vice-president of the Screen Publicists Guild. Hochfeld succeeded Joseph Chasin, who has resigned from Warners and left the industry.

Named RKO Music Head

HOLLYWOOD, April 20. — Constantin Bakaleinikoff has been appointed head of the RKO music department, succeeding Dave Dreyer. He formerly was a music director for Paramount.

Critics' Quotes . . .

"ZIEGFELD GIRL" (M-G-M)

Robert Z. Leonard got a splendid dramatic feeling from the entire cast. Busby Berkely directed the musical numbers, all of which are excitingly tuneful and presented with lavish ingenuity . . . "Ziegfeld Girl" is a topnotch dramatic musical and certainly makes Lana Turner a star.—*Jimmy Starr, Los Angeles Herald and Express.*

"Ziegfeld Girl," summed up, is a sure-fire hit among musicals and definitely the start of a starring career for Lana Turner.—*Los Angeles Examiner.*

Watching "Ziegfeld Girl" is something like spending an afternoon with an overindulgent aunt; a generous, attractive, but frequently tiresome relative.—*Virginia Wright, Los Angeles News.*

It goes on and on and on, revealing panoramas of technical beauty, but with little zest and fire.—*C. J. Bulliet, Chicago Daily News.*

The show is gorgeously caparisoned and very well acted but it tries to encompass too much.—*Chicago Tribune.*

"MODEL WIFE" (Universal)

It's filled with gags, hilarious and otherwise, and runs the gamut from high farce to good old lowdown boisterous burlesque.—*John L. Scott, Los Angeles Times.*

Direction is cleverly paced to give punch to the comedy moments, which are highlighted over a basic theme of real seriousness. The gags are especially well done and several of them deliver terrific laugh wallops.—*Los Angeles Examiner.*

Designed for mass audience appeal, "Model Wife" ought to garner expected laughs. It's a nice bit of domestic farce trivia with those real life marrieds, Joan Blondell and Dick Powell, giving bounce to the playing.—*Harry Mines, Los Angeles News.*

"THE LADY FROM CHEYENNE" (Universal)

Despite an interesting theme and a first-rate cast, the story involving a frontier schoolmarm (Loretta Young) with a passel of bad men and gullible legislators comes off as only fair-to-middling entertainment.—*Newsweek.*

The picture adds up to a series of uninspiring maneuvers by an expensive, experienced cast—or lollypopeyed Loretta Young in a Western.—*Time.*

The most we can say is that the fiction—if such it is—does not too seriously outrage, and that the fable cooked up in the picture provides some airy, though entirely superficial, fun.—*Bosley Crowther, New York Times.*

Made on a less elaborate scale than his (Frank Lloyd's) previous films . . . a pleasant comedy, delightfully acted by the star of the piece, Loretta Young.—*Kate Cameron, New York Daily News.*

The satire is singularly unfunny and the six-shooter uproar is definitely unexciting.—*Howard Barnes, New York Herald Tribune.*

Plot on paper or in retrospect looks thin, but the way it unfolds before an audience is an eye-opener. The cash customers howl.—*Lee Mortimer, New York Daily Mirror.*

"THE DEVIL AND MISS JONES" (RKO)

Half the fun of "The Devil and Miss Jones" is in sharing Charles Coburn's secret while unknowing shoe clerks push him around. The other half comes from the lightsome little comedy itself which bubbles along without a hitch under the knowing hand of Director Sam Wood.—*Time.*

All's pretty well with the world in this fable, and if it doesn't offer a cure-all for the current tiff in capital-labor relationship, at least it makes for a thoroughly entertaining farce.—*Newsweek.*

Crisply wrapped and humor be-ribboned package . . . The story is excellently acted.—*Chicago Tribune.*

"THE GREAT LIE" (Warners)

The Warner Brothers have stressed what the industry calls "woman appeal" in Bette Davis' latest vehicle, and "The Great Lie" probably offers that quality in sufficient quantity to score at the boxoffice. On the other hand this is unquestionably the weakest story handed the star in a number of years.—*Newsweek.*

Men may think that "The Great Lie" drags in spots, may get more than enough of Hattie McDaniel's sunstruck volubility, but female cinemagoers should be able to settle back and view Miss Davis' wifely triumph with thoroughgoing satisfaction.—*Time.*

"The Great Lie," while not a distinguished picture, has been ably projected in all its departments. We recommend it to our readers and it should cause the cash registers to tinkle merrily in the boxoffices of the country.—*Norman Clark, Baltimore News-Post.*

"POWER DIVE" (Paramount)

A neat and clever little picture.—*Sara Hamilton, Los Angeles Examiner.*

Presents a snappily told story of the aviation industry. It is interesting and in the final sequences exciting.—*Los Angeles Times.*

A picture which should show box-office altitude on a comparatively low budget.—*Los Angeles Examiner.*

Held on Chance Game

MT. VERNON, O., April 20.—James C. Platt, manager of Schine's Mt. Vernon, has been held to the grand jury after pleading not guilty to charges of selling lottery tickets in connection with a chance game conducted at his theatre. He gave $200 bond.

Hungary Ban Expected

Dispatches from Budapest yesterday said that an early ban is expected on American films in Hungary and that the Ministry of the Interior had handed down such a decision. Censors are declining to see new American films, it was said.

MBS Meets Friday To Decide on Ascap

Mutual will hold a joint meeting of its board of directors, stockholders and operating board here Friday to make a decision on a new Ascap contract. The network's copyright committee met in Chicago last week with Ascap representatives for a discussion of the terms and formula for a new licensing agreement.

Several changes were made [illegible] the discussions, particularly [illegible] the per program phases of the contract and they will be redrafted in time for presentation to Friday's meeting, it was reported. The Mutual contract has several provisions not presented to the other networks because of the differences in the setups among the various webs, it was stated.

14 Song Writers Sue Radio-Music Groups

Fourteen song writers, 13 of whom are Ascap members, filed suit for aggregate damages of $1,217,500 against the National Association of Broadcasters, Broadcast Music, Inc., NBC, CBS and officers and directors of all four, in N. Y. Supreme court on Friday.

The complaint charges the defendants with violating the anti-trust laws since 1938 by means of an alleged conspiracy and combination designed to deprive the plaintiffs of their livelihood and to destroy Ascap. Ascap is not a party to the action.

The organization of BMI was cited as the principal means by which the defendants furthered their alleged conspiracy and which is said to have affected the earnings of the plaintiffs.

Anti-Ascap Bill Is Signed in Wisconsin

MILWAUKEE, April 20. — Acting Governor Walter S. Goodland yesterday signed the Cashman bill which gives the secretary of state enforcement power over the licensing provisions of the Wisconsin statute which requires music licensing agencies to pay a 25 per cent franchise tax on the annual gross business in the state.

The bill, generally regarded here as an anti-Ascap measure, is now a law. The original statute, passed in 1939, lacked the enforcement provisions which are contained in the new law.

Foreign Language Outlets to Aid U. S.

Foreign language stations in New York have pledged their aid to the Treasury Department for its drive to sell Defense Savings Bonds. The drive starts May 1. Stations included are WHOM, WBNX, WEVD, WCNW, WOV, WWRL and the four stations now merged into WARD. Representatives of the stations met with Treasury officials in Washington last week.

Eastman Payroll Record

ROCHESTER, April 20.—Employment at Eastman Kodak Co. here reached a new high yesterday, with a total of 19,100 now on the company's payrolls.

WMCA Asks 5,000 Watts

WASHINGTON, April 20.—WMCA, New York, has filed an application with the FCC for an increase of night power from 1,000 to 5,000 watts.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
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VOL. 49. NO. 78 NEW YORK, U. S. A., TUESDAY, APRIL 22, 1941 TEN CENTS

U.S. Protests Nazi Grab of Paris Offices

Agents File Objection; No Formal Protest

By BERTRAM F. LINZ

WASHINGTON, April 21.—Protests of American distributors against the occupation of their Paris offices by the Nazis "probably" have already been taken up by American diplomatic representatives in occupied France, it was said at the State Department today.

Despite this statement, it could not be learned whether or not a formal complaint had been lodged by the film companies in Washington, and Department officials said they had no information regarding the matter.

Reports were heard here, however, that at least a verbal protest, if not actually a formal one, was made by the local M. P. P. D. A. office over the Paris seizures on instructions from New York.

It was admitted at the State Department that considerable correspondence has been had with film companies over matters which have occurred abroad since Hitler began his conquest of Europe. Most of the matters brought to the attention of the

(*Continued on page 7*)

Prudential Takes Interest of Casey

The interest of Charles E. Casey in the eight houses held by Casey & Wheeler has been taken over by Prudential Playhouses Operating Co., Inc., headed by Joseph M. Seider.

Casey, retiring after a partnership with Irwin Wheeler dating back to 1917, will make his home permanently in Florida. Wheeler, who will retain his interest in the eight houses, will continue to manage them. Prudential has had an interest in the theatres for some time. The Casey &

(*Continued on page 7*)

ITPA of Wisconsin Unit Meeting May 3

ANTIGO, Wis., April 21.—John Hanus, operator of the Home Theatre here, is chairman in charge of arrangements for a district meeting of the ITPA of Wisconsin and Upper Michigan to be held here May 3.

Theatres Escape New Jersey Blaze

Theatres have escaped the serious forest fires which started Sunday around Lakewood, N. J., and swept the surrounding country, endangering several neighboring communities. Two houses, however, were threatened, the Palace and the Strand in the main business section of Lakewood. They were saved by a sudden shift in the wind.

'Hamilton Woman' Gets Fourth Week; Grosses Strong

Despite Summer temperatures over the weekend, Broadway's holdover films continued to do strong business, with "That Hamilton Woman" at the Radio City Music Hall and "Road to Zanzibar" at the Paramount leading the parade.

"That Hamilton Woman" will be held a fourth week starting Thursday, the sixth film to run more than three weeks in the history of the house. The film drew an estimated $66,500 Thursday through Sunday, with the Easter stage presentation, in the first four days of the third week.

At the Paramount, "Road to Zanzibar," with Benny Goodman's orchestra on the stage, drew an estimated $47,000 Wednesday through Sunday. It starts its third week tomorrow. "The Great Lie" at the Strand, plus

(*Continued on page 7*)

ANTI 5-BLOCK BILL PASSED BY MINN.

Carried in Senate, 53 to 8; Governor Stassen Expected to Sign It; Cancellations Provided; Constitutional Test Expected

By ROBERT E. MURPHY

MINNEAPOLIS, April 21.—The Minnesota State Senate tonight passed the anti-block-of-five bill. The measure now goes to Governor Harold E. Stassen for signature, having previously passed the House. He is expected to sign it. The vote was 53 to 8.

It is the first bill passed by a State Legislature setting aside provisions of the Federal consent decree. The bill aims especially at the New York case consent decree.

It provides for sale by a distributor of an entire season's product subject to cancellation, up to 20 per cent.

Some opposition was offered during committee hearings by some of the major companies involved. Prior to the Senate action a flurry of opposition was stirred up by organizations which claimed they had an interest in the matter.

There were reports that the regulations of the bill would have smooth sailing. There were reports also that a test case would be made regarding its constitutionality within a short time. One of the opposing major's principal contentions during committee

(*Continued on page 7*)

Report U. A. Holds Lesser on RKO Deal

At United Artists home office yesterday, it was stated that the company was not inclined to grant Sol Lesser a release from his contract with that company, without which he cannot accept the stewardship of RKO production at the latter's studio. This would mean, observers state, that the Lesser-RKO deal is off. The Lesser-RKO negotiations were reported exclusively yesterday in MOTION PICTURE DAILY.

Coast reports, on the other hand, emanating from sources close to Lesser, are that negotiation for Lesser's release from U. A. are continuing. RKO studio officials would make no comment.

Lesser's contract with U. A. has three more years to run under the terms of which he must make as many

(*Continued on page 7*)

Rochester Clearance Case Withdrawn on Compromise

A compromise clearance settlement of the arbitration complaint of the Sun Theatre, Rochester, has been agreed upon and the complaint was withdrawn Saturday prior to a hearing at the Buffalo tribunal.

Helen Weisenberg, operator of the Sun, filed the complaint against Warners, 20th Century-Fox, Paramount and Loew's. No competing theatres were named.

Meanwhile, the hearing on the clearance complaint of the Forum Theatre, Metuchen, N. J., against the five consenting companies, scheduled for yesterday before the New York board, was postponed to April 29. Hearings were set for the same day at the Albany board on two complaints involving clearance brought against Warners and RKO by A. P. Papaya-

(*Continued on page 7*)

Ginger Rogers on 3-Year RKO Pact

HOLLYWOOD, April 21.—Ginger Rogers, 1940 Academy award winner, has been signed to a three-year contract by RKO, continuing her services with that company, it was disclosed here today. George J. Schaefer, RKO president, handled the deal. The contract, it was said, is for "a number of pictures." Her first film under the deal will be "Week End for Three."

Harold B. Franklin Dies in Mexico City

Harold B. Franklin, an industry executive for many years, and most recently president of Harold B. Franklin Productions, Inc., died suddenly Sunday night of a heart attack in Mexico City. He was 47 years old.

The body will be shipped to his home in Beverly Hills, Cal. Funeral arrangements have not yet been completed. With him in the Mexican capital when he died was his son, Elbert. It is understood Franklin was in Mexico City on preliminary plans for a projected Mexican theatre circuit. He is survived also by his widow, Annamay Franklin, and two brothers, John Jay and Charles Franklin, the latter an attorney here.

Franklin was born in New York on April 4, 1894, and was educated in New York schools and the College of the City of New York. Starting in the operation of theatres in 1914, Franklin was instrumental in the development of Paramount Theatres as

(*Continued on page 7*)

Coast Flashes

Hollywood, April 21

WALTER P. SPRECKELS, N.L.R.B. regional director whose resignation to become a labor relations consultant had been announced previously in MOTION PICTURE DAILY, has been appointed labor counsel for the Walt Disney studios, effective Wednesday. He leaves the N.L.R.B. post tomorrow.

•

Republic today announced that Harriet Parsons would produce, direct and write features in addition to continuing production of "Meet the Stars," her monthly series of shorts released by Republic.

•

Maurice Hanline, Republic story editor, resigned today and Francis Langton, formerly head of the writers' department at Paramount, was appointed to succeed him.

•

Thomas Mitchell was taken to Cedars of Lebanon Hospital today after a fall from a horse. He suffered a concussion.

20th-Fox Drive Set For South America

Twentieth Century-Fox branches in Central and South America will compete in the company's first "Pan-American Sales Drive" which will run for 10 weeks, starting May 18. The offices will be divided into groups on the basis of size.

W. J. Hutchinson, director of foreign distribution, has appointed E. S. Fraser, executive assistant in the foreign department, to supervise the drive.

Study Coin Machine Fees in Milwaukee

MILWAUKEE, April 21.—The Common Council's License Committee has requested from the City Attorney an opinion on the extent of the city's control over coin film machines.

Proposals being studied call for the licensing of the machines or a requirement that the operators pay an annual $100 amusement license. It was thought that places already holding amusement licenses would be permitted to install the machines without additional fees. The subject of censorship is also occupying the committee's attention.

Start Seat Sale for 'Citizen Kane' Here

Reserved seat sale started yesterday for the two-a-day engagement of RKO's "Citizen Kane" which will open at the RKO Palace on Broadway May 1.

Opening night seats are scaled at $2.20. Afterward, weekday matinee prices will be $1.10 orchestra, 85 cents boxes and mezzanine, and 75 cents balcony. Prices for Saturday, Sunday and holidays will be: matinees, $1.65, $1.10 and 85 cents; evenings, $2.20 orchestra, $1.65 boxes and mezzanine, $1.10 balcony.

Exhibitor's Wife Dies

EVANSVILLE, Wis., April 21.—Mrs. George Magee, 72, wife of the local exhibitor, is dead. Besides her husband, Mrs. Magee is survived by a son and a daughter.

Personal Mention

JOHN HAY WHITNEY left for the Coast by plane from Washington last night.

•

HARRY COHN, Columbia president, who was scheduled to leave for the Coast over the weekend, postponed his departure for a week.

•

WILL H. HAYS visited his Indiana farm en route from the Coast and will arrive here tomorrow.

•

HERMAN ROBBINS, A. J. RICHARD, EARLE HAMMONS, JOHN D. HERTZ JR., GEORGE DEMBOW, HERMAN SHUMLIN, DWIGHT WIMAN, LEE SHUBERT and JACK PEARL lunching yesterday at Sardi's.

•

TOM CONNORS, CHARLES E. MCCARTHY, MORRIS KINZLER, OWEN DAVIS, EDMUND C. GRAINGER, WILLIAM ORR, JOHN W. HICKS, E. K. O'SHEA and RALPH AUSTRIAN at Nick's Hunting Room in the Astor yesterday for lunch.

•

LOU POLLOCK, WILLIAM FITELSON, HENRY JAFFE and DOUGLAS ROTHACKER having lunch at the Tavern yesterday.

•

JACK COHN, ABE SCHNEIDER, MARTIN and JOSEPH MOSKOWITZ, AL YOUNG, CHARLES STERN and CLARENCE EISEMAN lunching yesterday at Lindy's (51st St.).

•

MARVIN SCHENCK, ARTHUR and EMANUEL SILVERSTONE, WILLIAM MOSES, EUGENE PICKER and RUBE JACKTER at Lindy's (next to the Rivoli) for lunch yesterday.

•

CARL NIESSE, owner of the Vogue, Indianapolis, and MRS. NIESSE are extending their Florida vacation with a trip to Cuba.

HARRY BLACK, general manager of the Si Fabian circuit, and his bride, the former BEBE CLYDE, are honeymooning in Mexico and will visit Cuba before returning here in about two weeks.

•

PHIL HODES of the RKO exchange here is vacationing.

•

B. M. MONTEE, manager of the Beatrice at Beatrice, Neb., has been elected president of the Junior Chamber of Commerce there.

•

JAMES T. GRADY, manager of Loew's, New Rochelle, has been suggested by Mayor Church to serve on the new Transit Commission there.

•

EDGAR LYNCH, manager of the Warner, Worcester, Mass., has returned from a visit to Baltimore.

•

SOL SHAFER, manager of the West End Theatre, Rochester, is back from Florida.

•

H. P. WOLFBERG, M-G-M district manager at St. Louis, and JOHN X. QUINN, St. Louis manager, have returned from Florida.

•

DAVID E. WESHNER, exploitation head for United Artists, is chairman of the sixth annual Thrift Shop, charity bazaar to be held in Philadelphia on May 10.

•

JOSEPH CARLIN, art director for Warner Theatres in Philadelphia, is recuperating from arthritis.

•

BEN PIAZZA, ED CHURCHILL, ARTHUR WILLI, MARY MORRISSEY, SAM SHAIN, JACK CONNOLLY, HAL HORNE and ROY DISNEY at Toots Shor's for luncheon yesterday.

Bioff Asks New Data In Government Suit

LOS ANGELES, April 21.—Federal Judge Harry A. Hollzer in U. S. District Court today instructed William Hall, assistant U. S. Attorney, to prepare a statement advising the court how much information the Government is willing to give in answer to a bill of particulars requested by George Breslin, attorney for William Bioff.

Bioff asked the Government for more details of the allegation that he earned close to $200,000 in 1936 and 1937. He called the Government report "obscure." Bioff is alleged to have failed to report $27,853 of income in 1936, and $169,211 in 1937. The hearing was put over for one week.

Seven New Pictures Approved by Legion

The National Legion of Decency for the current week has approved all seven new pictures reviewed and classified, four for general patronage and three for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"The King of the White Elephant," "Sign of the Wolf," "Sis Hopkins" and "They Met in Argentina." Class A-2, Unobjectionable for adults—"Exile Express," "Girl from Havana" and "Washington Melodrama."

Monogram to Have 32 for New Season

CHICAGO, April 21.—Monogram will have 32 features for the 1941-'42 season, instead of 26, as originally announced on the Coast, Samuel Broidy, general sales manager, indicated at the regional sales meeting held yesterday at the Congress Hotel here.

Buck Jones and Tim McCoy will be starred in eight westerns, Broidy said. Attending the one-day session here were: William Hurlburt, Detroit; Ben Nathanson, Minneapolis; Forrest Judd, Des Moines; Charles Trampe, Milwaukee; William Onie, Cincinnati; Sol Francis, Omaha; Carl Harthill, Indianapolis; Carr Scott, Oklahoma City, and Henri Elman of Chicago.

Argument in Schine Case on Tomorrow

BUFFALO, April 21.—The motion of the Schine Circuit for a new Government bill of particulars in the Government anti-trust suit in Federal Court here against the circuit, Universal, United Artists and Columbia, will be argued on Wednesday.

Roosevelt to Honolulu

SAN FRANCISCO, April 21. — Captain James Roosevelt has arrived in Honolulu for duty with the Marine Corps. He left here by Clipper over the weekend.

St. Louis Exhibitors Fight Daylight Bill

ST. LOUIS, April 21.—A bill providing for daylight saving time has been introduced in the St. Louis Board of Aldermen.

Fred Wehrenberg, president of the St. Louis MPTOA, said theatre owners again would oppose the measure. Previous attempts to introduce daylight saving time in the city having met with failure, mostly through the organized opposition of theatre owners and labor.

Push Daylight Saving Ordinance in Louisville

LOUISVILLE, KY., April 21.—Mayor Joseph Scholtz has directed the city Law Department to prepare an ordinance putting daylight saving time into effect here from April 27 to September 26, despite the state law prohibiting such a move unless approval of the Governor is obtained.

"We were accused of blitzkrieging the clock-advance resolution by theatre interests and others opposed to the change," the Mayor said. "This time we'll wait for a regular meeting of the Aldermen. It seems to me that the course we have adopted will give any opponents ample opportunity to do what they like."

Dervin Is Honored At Dinner in Boston

BOSTON, April 21.—John J. Dervin, former United Artists branch manager here, who has been promoted to Southern district manager with headquarters in Atlanta, was guest of honor here tonight at a dinner at the Latin Quarter.

A group of executives from the United Artists home office attended, including Harry Gold, Haskell M. Masters, Monroe Greenthal, David Weshner and Charles Stern. Samuel Broidy, general sales manager for Monogram, also attended.

Douglas Yates and Margaret Titus Wed

Douglas Yates, son of Herbert J. Yates, and Margaret Louise Titus were married yesterday at the Central Presbyterian Church on Park Avenue. A reception followed at Sherry's. The groom recently entered the Army.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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THE NEW YORK TIMES

'HAMILTON WOMAN' SETS NEW RECORD

Establishes Nine-Year Easter Holiday Mark by Drawing 318,986 at Music Hall

27,330 ON WEDNESDAY

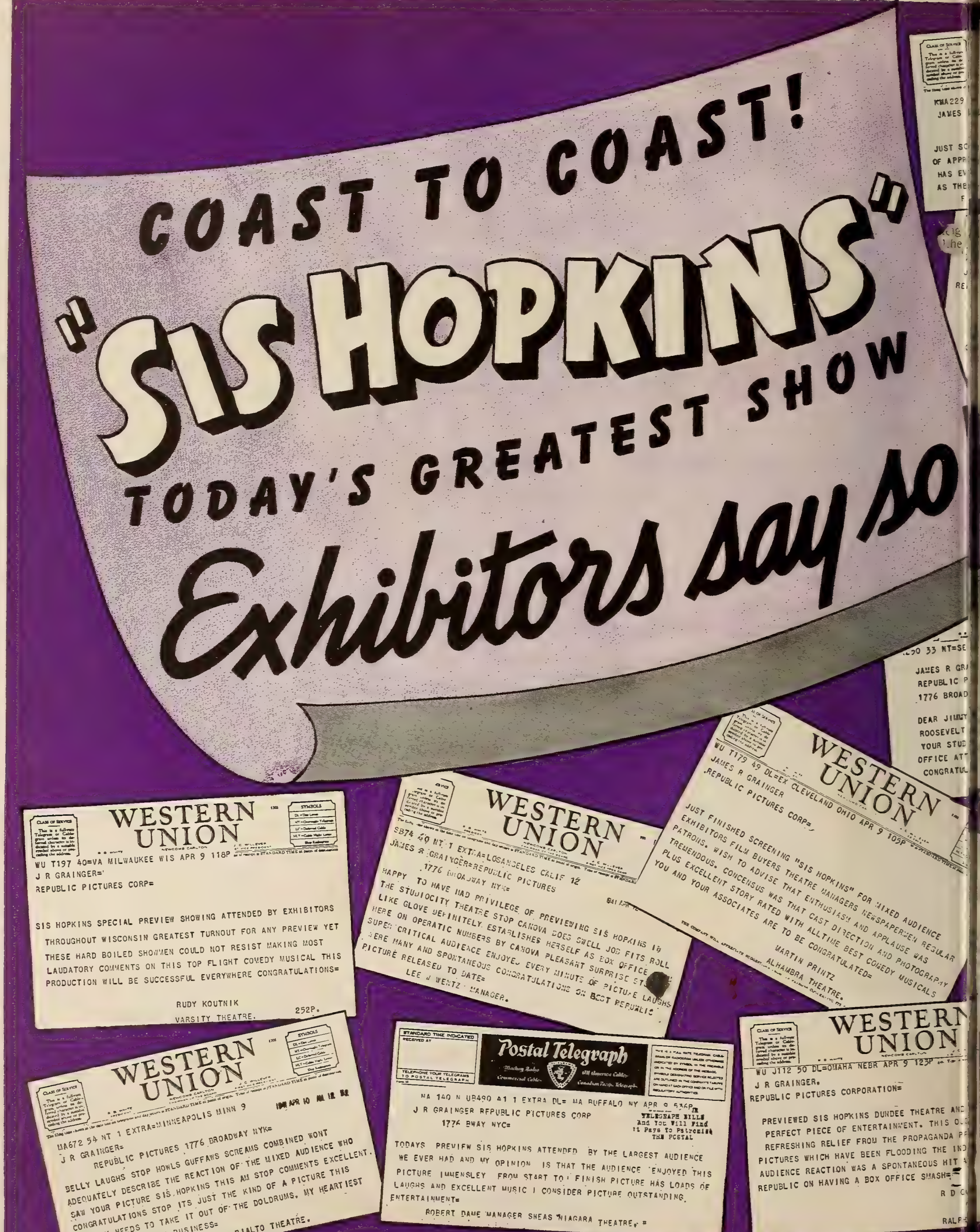
"That Hamilton Woman," currently in its third week at the Radio City Music Hall, has established a nine-year Easter holiday attendance record for the theatre by playing to 318,986 persons during its first two weeks, it was announced yesterday. It was also stated that the attendance was larger for the second week than during the opening week. The film, which broke the previous Easter mark set in 1939 was attended by 27,330 persons on Wednesday, its fourteenth day. The figure represents the biggest single day's business since the opening of the picture on April 3.

KORDA'S Triumphant Hit

HELD OVER FOURTH WEEK

RADIO CITY MUSIC HALL!

Released thru **UNITED ARTISTS**


COAST TO COAST!
"SIS HOPKINS"
TODAY'S GREATEST SHOW
Exhibitors say so

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SIS HOPKINS SPECIAL PREVIEW SHOWING ATTENDED BY EXHIBITORS THROUGHOUT WISCONSIN GREATEST TURNOUT FOR ANY PREVIEW YET THESE HARD BOILED SHOWMEN COULD NOT RESIST MAKING MOST LAUDATORY COMMENTS ON THIS TOP FLIGHT COMEDY MUSICAL THIS PRODUCTION WILL BE SUCCESSFUL EVERYWHERE CONGRATULATIONS=

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1776 BROADWAY NYK=

HAPPY TO HAVE HAD PRIVILEGE OF PREVIEWING SIS HOPKINS IN THE STUDIOCITY THEATRE STOP CANOVA DOES SWELL JOB FITS ROLL LIKE GLOVE DEFINITELY ESTABLISHES HERSELF AS BOX OFFICE [illegible] HERE ON OPERATIC NUMBERS BY CANOVA PLEASANT SURPRISE ST[illegible] SUPER CRITICAL AUDIENCE ENJOYED EVERY MINUTE OF PICTURE LAUGHS HERE MANY AND SPONTANEOUS CONGRATULATIONS ON BEST REPUBLIC PICTURE RELEASED TO DATE=

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REPUBLIC PICTURES CORP=

JUST FINISHED SCREENING "SIS HOPKINS" FOR MIXED AUDIENCE EXHIBITORS FILM BUYERS THEATRE MANAGERS NEWSPAPERMEN REGULAR PATRONS. WISH TO ADVISE THAT ENTHUSIASM AND APPLAUSE WAS TREMENDOUS. CONCENSUS WAS THAT CAST DIRECTION AND PHOTOGRAPHY PLUS EXCELLENT STORY RATED WITH ALLTIME BEST COMEDY MUSICALS YOU AND YOUR ASSOCIATES ARE TO BE CONGRATULATED=

MARTIN PRINTZ
ALHAMBRA THEATRE.

KMA229
JAMES

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JAMES R GR
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DEAR JIMMY
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REPUBLIC PICTURES 1776 BROADWAY NYK=

BELLY LAUGHS STOP HOWLS GUFFAWS SCREAMS COMBINED WONT ADEQUATELY DESCRIBE THE REACTION OF THE MIXED AUDIENCE WHO SAW YOUR PICTURE SIS HOPKINS THIS AM STOP COMMENTS EXCELLENT. CONGRATULATIONS STOP ITS JUST THE KIND OF A PICTURE THIS COUNTRY NEEDS TO TAKE IT OUT OF THE DOLDRUMS. MY HEARTIEST BEST WISHES FOR SRO BUSINESS=

E A WIGGINS MANAGER RIALTO THEATRE.

MA 140 N UB490 41 1 EXTRA DL= MA BUFFALO NY APR 9 536P
J R GRAINGER REPUBLIC PICTURES CORP
1776 BWAY NYC=

TELEGRAPH BILLS
And You Will Find
it Pays To Patronize
THE POSTAL

TODAYS PREVIEW SIS HOPKINS ATTENDED BY THE LARGEST AUDIENCE WE EVER HAD AND MY OPINION IS THAT THE AUDIENCE ENJOYED THIS PICTURE IMMENSLEY FROM START TO FINISH PICTURE HAS LOADS OF LAUGHS AND EXCELLENT MUSIC I CONSIDER PICTURE OUTSTANDING. ENTERTAINMENT=

ROBERT DAME MANAGER SHEAS NIAGARA THEATRE. =

WU J112 50 DL=OMAHA NEBR APR 9 123P
J R GRAINGER.
REPUBLIC PICTURES CORPORATION=

PREVIEWED SIS HOPKINS DUNDEE THEATRE AN
PERFECT PIECE OF ENTERTAINMENT. THIS O
REFRESHING RELIEF FROM THE PROPAGANDA P
PICTURES WHICH HAVE BEEN FLOODING THE IN
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REPUBLIC ON HAVING A BOX OFFICE SMASH=

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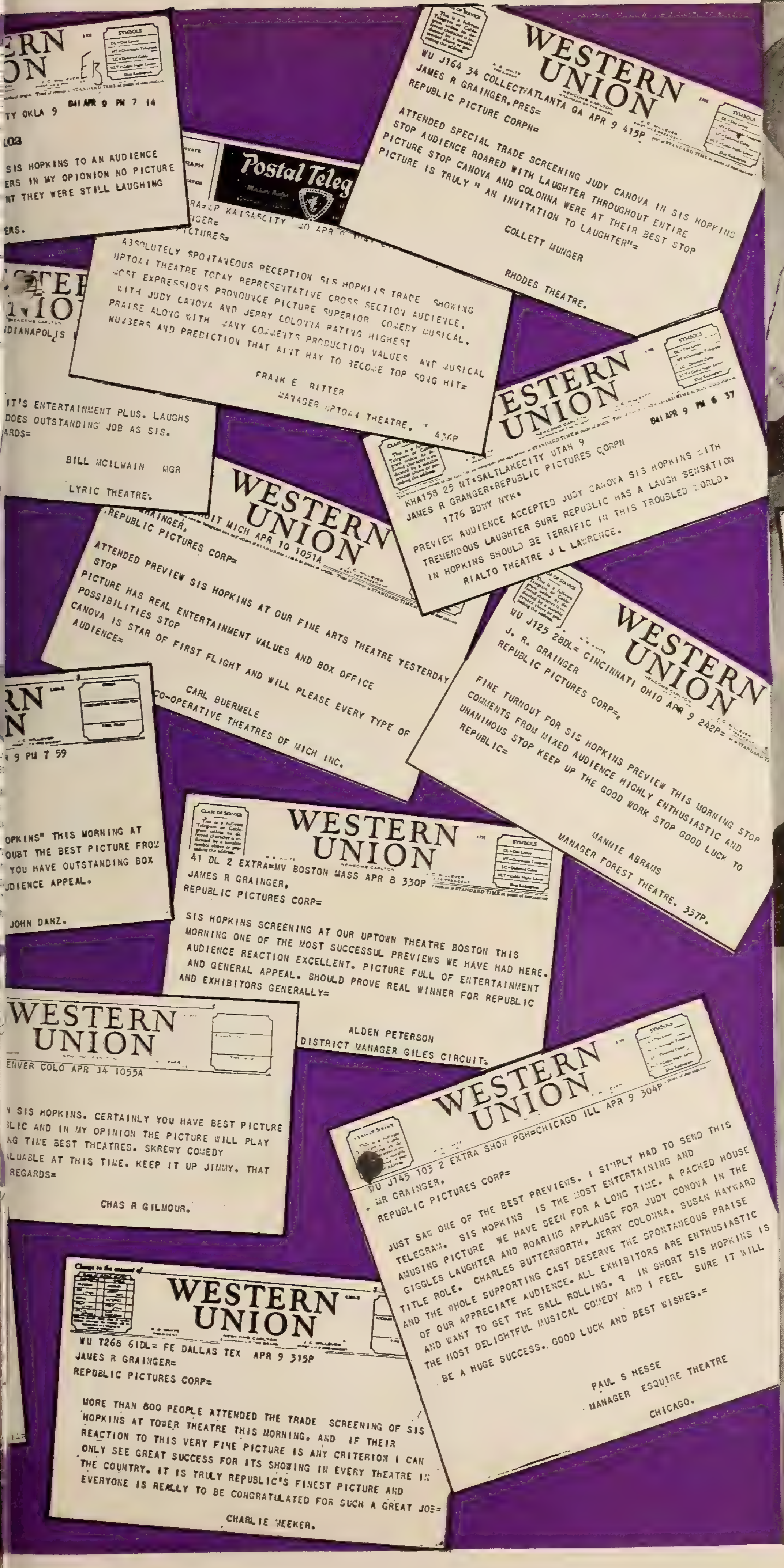
A REPUBLIC PICTURE



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Postal Teleg
RA=WP KANSASCITY 40 APR 9
NGER=
CTURES=

ABSOLUTELY SPONTANEOUS RECEPTION SIS HOPKINS TRADE SHOWING UPTOWN THEATRE TODAY REPRESENTATIVE CROSS SECTION AUDIENCE. MOST EXPRESSIONS PRONOUNCE PICTURE SUPERIOR COMEDY MUSICAL. WITH JUDY CANOVA AND JERRY COLONNA RATING HIGHEST PRAISE ALONG WITH MANY COMMENTS PRODUCTION VALUES AND MUSICAL NUMBERS AND PREDICTION THAT AINT HAY TO BECOME TOP SONG HIT=

FRANK E RITTER
MANAGER UPTOWN THEATRE. 430P

WESTERN UNION
WU J164 34 COLLECT=ATLANTA GA APR 9 415P
JAMES R GRAINGER, PRES=
REPUBLIC PICTURE CORPN=

ATTENDED SPECIAL TRADE SCREENING JUDY CANOVA IN SIS HOPKINS STOP AUDIENCE ROARED WITH LAUGHTER THROUGHOUT ENTIRE PICTURE STOP CANOVA AND COLONNA WERE AT THEIR BEST STOP PICTURE IS TRULY " AN INVITATION TO LAUGHTER"=

COLLETT MUNGER

RHODES THEATRE.

STER
NION
DIANAPOLIS

IT'S ENTERTAINMENT PLUS. LAUGHS
DOES OUTSTANDING JOB AS SIS.
ARDS=

BILL MCILWAIN MGR

LYRIC THEATRE.

ESTERN UNION
841 APR 9 PM 6 37
KHA158 25 NT=SALTLAKECITY UTAH 9
JAMES R GRANGER=REPUBLIC PICTURES CORPN
1776 BDWY NYK=

PREVIEW AUDIENCE ACCEPTED JUDY CANOVA SIS HOPKINS WITH TREMENDOUS LAUGHTER SURE REPUBLIC HAS A LAUGH SENSATION IN HOPKINS SHOULD BE TERRIFIC IN THIS TROUBLED WORLD=
RIALTO THEATRE J L LAWRENCE.

WESTERN UNION
OIT MICH APR 10 1051A
GRAINGER,
REPUBLIC PICTURES CORP=

ATTENDED PREVIEW SIS HOPKINS AT OUR FINE ARTS THEATRE YESTERDAY STOP
PICTURE HAS REAL ENTERTAINMENT VALUES AND BOX OFFICE POSSIBILITIES STOP
CANOVA IS STAR OF FIRST FLIGHT AND WILL PLEASE EVERY TYPE OF AUDIENCE=

CARL BUERMELE
CO-OPERATIVE THEATRES OF MICH INC.

WESTERN UNION
WU J125 28DL= CINCINNATI OHIO APR 9 242P=
J. R. GRAINGER
REPUBLIC PICTURES CORP=

FINE TURNOUT FOR SIS HOPKINS PREVIEW THIS MORNING STOP COMMENTS FROM MIXED AUDIENCE HIGHLY ENTHUSIASTIC AND UNANIMOUS STOP KEEP UP THE GOOD WORK STOP GOOD LUCK TO REPUBLIC=

MANNIE ABRAMS
MANAGER FOREST THEATRE. 337P.

RN
N
R 9 PM 7 59

OPKINS" THIS MORNING AT
OUBT THE BEST PICTURE FROM
YOU HAVE OUTSTANDING BOX
UDIENCE APPEAL.

JOHN DANZ.

WESTERN UNION
41 DL 2 EXTRA=MV BOSTON MASS APR 8 330P
JAMES R GRAINGER,
REPUBLIC PICTURES CORP=

SIS HOPKINS SCREENING AT OUR UPTOWN THEATRE BOSTON THIS MORNING ONE OF THE MOST SUCCESSUL PREVIEWS WE HAVE HAD HERE. AUDIENCE REACTION EXCELLENT. PICTURE FULL OF ENTERTAINMENT AND GENERAL APPEAL. SHOULD PROVE REAL WINNER FOR REPUBLIC AND EXHIBITORS GENERALLY=

ALDEN PETERSON
DISTRICT MANAGER GILES CIRCUIT.

WESTERN UNION
ENVER COLO APR 14 1055A

SIS HOPKINS. CERTAINLY YOU HAVE BEST PICTURE
LIC AND IN MY OPINION THE PICTURE WILL PLAY
NG TIME BEST THEATRES. SKREWY COMEDY
LUABLE AT THIS TIME. KEEP IT UP JIMMY. THAT
REGARDS=

CHAS R GILMOUR.

WESTERN UNION
WU J145 103 2 EXTRA SHOW PGH=CHICAGO ILL APR 9 304P
MR GRAINGER,
REPUBLIC PICTURES CORP=

JUST SAW ONE OF THE BEST PREVIEWS. I SIMPLY HAD TO SEND THIS TELEGRAM. SIS HOPKINS IS THE MOST ENTERTAINING AND AMUSING PICTURE WE HAVE SEEN FOR A LONG TIME. A PACKED HOUSE GIGGLES LAUGHTER AND ROARING APPLAUSE FOR JUDY CONOVA IN THE TITLE ROLE. CHARLES BUTTERWORTH, JERRY COLONNA, SUSAN HAYWARD AND THE WHOLE SUPPORTING CAST DESERVE THE SPONTANEOUS PRAISE OF OUR APPRECIATE AUDIENCE. ALL EXHIBITORS ARE ENTHUSIASTIC AND WANT TO GET THE BALL ROLLING. ¶ IN SHORT SIS HOPKINS IS THE MOST DELIGHTFUL MUSICAL COMEDY AND I FEEL SURE IT WILL BE A HUGE SUCCESS.. GOOD LUCK AND BEST WISHES.=

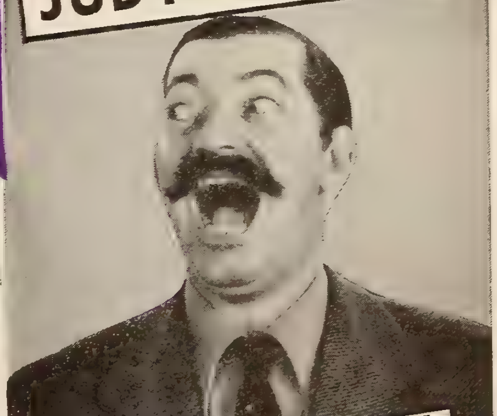
PAUL S HESSE
MANAGER ESQUIRE THEATRE
CHICAGO.

WESTERN UNION
WU T268 61DL= FE DALLAS TEX APR 9 315P
JAMES R GRAINGER=
REPUBLIC PICTURES CORP=

MORE THAN 800 PEOPLE ATTENDED THE TRADE SCREENING OF SIS HOPKINS AT TOWER THEATRE THIS MORNING. AND IF THEIR REACTION TO THIS VERY FINE PICTURE IS ANY CRITERION I CAN ONLY SEE GREAT SUCCESS FOR ITS SHOWING IN EVERY THEATRE IN THE COUNTRY. IT IS TRULY REPUBLIC'S FINEST PICTURE AND EVERYONE IS REALLY TO BE CONGRATULATED FOR SUCH A GREAT JOB=

CHARLIE MEEKER.

JUDY CANOVA



JERRY COLONNA

BOB CROSBY
AND HIS BAND WITH
THE BOB CATS
CHARLES
BUTTERWORTH
SUSAN HAYWARD
KATHARINE ALEXANDER
AND AN ALL STAR CAST
JOSEPH SANTLEY, *Director*
SCREEN PLAY BY JACK TOWNLEY,
MILT GROSS AND EDWARD ELISCU
ORIGINAL STORY BY F. McGREW WILLIS

45 Pictures Shooting; 69 Being Edited

HOLLYWOOD, April 21.—Forty-five pictures were before the cameras this week, two less than the week before, while the number completed and started, respectively, also each dropped by two, with 11 finished and nine started. Being prepared were 27 films, and 69 were being edited.

The total by studio:

Columbia

Finished: "Obituary," "Prisoner on Devil's Isle," "One Way Street."

In Work: "Betty Co-ed," "Blondie in Society."

Started: "Our Wife," "Son of Davy Crockett."

Korda (U.A.)

In Work: "Illusions."

M-G-M

Finished: "Blossoms in the Dust," "Dr. Jekyll and Mr. Hyde."

In Work: "Unholy Partners," "Lady Be Good," "Bargain Basement," "The Get Away."

Started: "Barnacle Bill."

Paramount

Finished: "The Great Man's Lady," "Buy Me That Town."

In Work: "Hold Back the Dawn," "Aloma of the South Seas," "The Parson of Panamint," "World Premiere," "Nothing But the Truth," "Henry for President."

Started: "Forced Landing."

RKO

Finished: "My Life with Caroline."

In Work: "Before the Fact," "Tom, Dick and Harry," "The Devil and Daniel Webster," "Parachute Battalion," "Scattergood Pulls the Strings," "Cyclone on Horseback," "The Father Takes a Wife," "Interlude."

Started: "Lady Scarface."

Republic

Finished: "The Desert Bandit."

In Work: "Thunder Over the Ozarks," "Angels with Broken Wings."

Started: "Saddlemates."

20th Century-Fox

In Work: "Miami," "Man Hunt," "Sun Valley," "Man with the Shovel," "Belle Starr."

Universal

Finished: "Too Many Blondes," "Unfinished Business."

In Work: "Beyond the Law," "Abbott and Costello in the Navy," "Half Way to Shanghai."

Started: "Marshal Law."

Warners

Finished: "The Gentle People."

In Work: "Sergeant York," "Dive Bomber," "Man Power," "Bad Men of Missouri," "Flight Patrol."

Started: "Navy Blues."

Theater Faces Tax

MUNHALL, PA., April 21.—This city's only theatre, the 568 seat Park, will be forced to pay a monthly tax if the Borough Council passes an ordinance. According to the bill, all theatres seating 300 or less will pay $3 a month, and all theatres with more than 300 seats will pay one cent more for every seat over 300.

Hollywood Review

"The Cowboy and the Blonde"

(20th Century-Fox)

Hollywood, April 21

AN amusing tale of life in a film studio is unfolded here, with Mary Beth Hughes seen as a temperamental star and George Montgomery as a rodeo champion who alone can calm her tantrums.

Falling in love with the star, the cowboy feels he is being used by the studio to keep their blonde and ill-tempered property in a good frame of mind; runs away to his ranch, is followed by the girl, and finally through a ruse conceived by his friend, enacted by Fuzzy Knight, softens and admits his love for her.

The scenes within the studio are deftly handled in a light vein, with Alan Mowbray contributing much as the studio's head man. Robert Conway, John Miljan, Richard Lane and Robert Emmett Keane are chiefly in support.

Comedy derives not only from the situations inherent in the plot, but from dialogue as well. In one piece of dialogue, the star's chauffeur, when asked if all the luggage is out of the car, says, "All but an old bag in back," at which the star's maid emerges, marking the picture as adult fare.

Ray McCarey directed, and Ralph Dietrich and Walter Morosco were associate producers.

Running time, 68 minutes. "A."* W. S.

"A" denotes adult classification.

'Blackie' and Band Lead in Milwaukee

MILWAUKEE, Wis., April 21.—Bob Crosby on the stage and "Meet Boston Blackie" grossed $14,200 at the Riverside for the week's best business. "The Great Lie" and "Here Comes Happiness" collected $8,800 at the Warner for eight days, while "Road to Zanzibar" and "Dead Men Tell" nabbed $7,600 at Fox's Palace for the week.

Estimated receipts for the week ending April 17:

"Road to Zanzibar" (Para.)
"Dead Men Tell" (20th-Fox)
PALACE—(2,400) (30c-40c-55c) 7 days. Gross: $7,600. (Average, $4,000)
"Meet Boston Blackie" (Col.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Bob Crosby and his orch. Gross: $14,200. (Average, $6,500)
"Golden Hoofs" (20th-Fox)
"Who Killed Aunt Maggie?" (Rep.)
STRAND—(1,400) (30c-40c-55c) 4 days. Gross: $850. (Average, $1,500)
"The Great Lie" (W. B.)
"Here Comes Happiness" (W. B.)
WARNER—(2,400) (30c-40c-55c) 8 days. Gross: $8,800. (Average, $4,500)
"Men of Boys Town" (M-G-M)
"Las Vegas Nights" (Para.)
WISCONSIN—(3,200) (30c-40c-55c) 7 days, 2nd week. Gross: $5,800. (Average, $5,500)

$14,000 'Zanzibar' Gross, Kansas City

KANSAS CITY, April 21.—"Road to Zanzibar" scored a powerful $14,000 at the Newman. "That Night in Rio" drew $3,000 at the Esquire and $4,500 at the Uptown.

Estimated receipts for the week ending April 18:

"That Night in Rio" (20th-Fox)
ESQUIRE (800) (28c-44c) 7 days. Gross: $3,000. (Average, $2,200)
"Men of Boy's Town" (M-G-M)
"Road Show" (U. A.)
MIDLAND—(3,600) (28c-44c) 7 days. Gross: $8,500. (Average, $9,500)
"Road to Zanzibar" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $14,000. (Average, $7,000)
"The Devil and Miss Jones" (RKO)
"Melody for Three" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $4,500. (Average, $5,000)
"A Man Betrayed" (Rep.)
TOWER—(2,200) (30c-40c) 7 days. "Funzafire" with Benny Meroff's Orchestra. Gross: $8,000. (Average, $6,000)
"That Night in Rio" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $4,500. (Average, $3,000)

'Town' Is Omaha's Best in Slow Week

OMAHA, April 21.—"Men of Boys Town" was the city's best for the week but fell way below expectations, getting only $8,600 at the Omaha. It is being held for several extra days.

Strong competition was felt from Shrine circus and an annual building show. Weather was clear and warm.

Estimated takings for the week ending April 16-17:

"Vivacious Lady" (RKO—reissue)
"A Girl, A Guy and A Gob" (RKO) 2 days, 2nd week.
"The Devil and Miss Jones" (RKO)
"Melody for Three" (RKO) 7 days.
BRANDEIS—(1,200) (30c-40c-44c) 9 days. Gross: $4,800. (Average, $4,000)
"Men of Boys Town" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $8,600. (Average, $6,000)
"That Night in Rio" (20th-Fox)
"Ride, Kelly, Ride" (20th-Fox)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $7,400. (Average, $7,200)

Cincinnati Games in March Set Record

CINCINNATI, April 21.—Although the number of city-licensed chance game parties reached an all-time high in March, receipts were "comparatively low," Police Chief Eugene T. Weatherly reported to City Manager C. O. Sherrill, from whose office playing permits are issued. The report shows 282 parties, wtih a total attendance of 294,971. Gross was $205,096.47; prizes, $49,726.39; leaving net of $155,370.08 to the sponsoring organizations. Average net cost per player was 52.7 cents.

Comparatively, the February figures were 259 parties; attendance, 279,358; gross, $206,505.68; prizes, $49,803.80, and net, $156,701.68. Average net cost per player was 52.5 cents.

W.B.Plan'York'Premiere

HOLLYWOOD, April 21.—Premiere of Warners' "Sergeant York" may be held in Milwaukee on Sept. 15 in conjunction with the American Legion convention.

Heat, Baseball Lower Grosses In Cincinnati

CINCINNATI, April 21. — "That Night in Rio," which gave the RKO Palace $11,500, and "Repent at Leisure," plus a stage show, which garnered $11,000 at the RKO Shubert, were the only pictures to get [illegible] average in a week in which [illegible] attendance was affected by excessively warm weather and the opening of the baseball season.

Estimated takings for the week ending April 18:

"Men of Boys Town" (M-G-M)
RKO ALBEE — (3,300) (33c-40c-50c) 7 days. Gross: $10,800. (Average, $12,000)
"That Night in Rio" (20th-Fox)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $11,500. (Average, $10,000)
"Repent at Leisure" (RKO)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "Red-Hot and Beautiful." Gross: $11,000. (Average, $10,000)
"The Lady from Cheyenne" (Univ.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $5,500)
"Model Wife" (Univ.)
RKO GRAND—(1,450) (33c-40c-50) 7 days. Gross: $3,800. (Average, $5,000)
"Scattergood Baines" (RKO)
"Convoy" (RKO)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days. Gross: $2,900. (Average, $4,500)
"Back in the Saddle" (Rep.)
"Gangsters of the Sea" (Astor)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Ride, Kelly, Ride" (20th-Fox)
"Mr. Dynamite" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"Bringing Up Baby" (RKO)
KEITH'S — (1,500) (33c-40c-50c) 7 days. Gross: $2,400. (Average, $5,000)

'Boys Town' Takes $13,500 in St. Louis

ST. LOUIS, April 21.—In a week marked by heavy rains, "Men of Boys Town" drew $13,500 at Loew's State. "Road to Zanzibar" attracted $11,500 at the Fox.

Estimated receipts for the week ending April 17:

"That Night in Rio" (20th-Fox)
AMBASSADOR — (3,018) (28c - 39c - 44c - 56c) 7 days, 2nd week. Gross: $7,000. (Average, $11,500).
"Road to Zanbizar" (Para.)
"Scotland Yard" (20th-Fox)
FOX — (5,038) (30c-40c-50c) (7 days. Gross: $11,500. (Average, $11,000.)
"Men of Boys Town" (M-G-M)
"Ellery Queen's Penthouse Mystery" Col.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $13,500. (Average, $13,000).
"Sis Hopkins" (Rep.)
"The Sea Wolf" (W. B.)
MISSOURI—(3,514) (30c-40c-50c) 7 days, 2nd week. Moveover from Fox. Gross: $4,200. (Average, $4,000).
"Jesse James" (20th-Fox)
"The Return of Frank James" (20th-Fox)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,900. (Average, $2,600).

'U' Renews Wometco, Hawaiian Franchises

Universal has renewed long term franchise agreements with the Wometco Circuit in Florida and Consolidated Theatres in Hawaii, and has negotiated a number of two-year deals with independent circuit operators in various sections of the country, W. A. Scully. vice-president and general sales manager, said yesterday.

Scully said that the new Wometco franchise is for five years, replacing a similar franchise which expired recently The Consolidated franchise is for three years.

March Admission Tax Revenue Is Up to $7,104,956

WASHINGTON, April 21.—Federal motion picture tax collections in March reached $7,104,956, a $600,000 increase over the $6,495,283 reported for February and the highest figure for any month since last November, it was reported tonight by the Internal Revenue Bureau. Collections in March, 1940, when the 40-cent exemption still applied, were $2,390,932.

The bureau reported that for the first nine months of the current fiscal year, admission tax collections totaled $52,499,059 under the 20-cent exemption, an increase of $36,048,745 over the $16,450,315 reported for the corresponding period a year ago.

In one of the sharpest declines ever experienced, collections in the Third New York (Broadway) District nosedived from $1,591,157 in February to $650,007 in March, where they compared with $647,532 collected in the same month last year.

The bureau reported that box-office collections in the district were but $569,014, compared with $1,507,634 in February and, despite the cut in the exemption, less than the $587,812 reported for March, 1940. Taxes on tickets sold by brokers amounted to $18,824 against $15,593 in February, and admissions to roof gardens and carbarets returned $62,169 against $67,402, it was stated.

Anti-5-Block Bill Passed by Minn.

(Continued from page 1)

hearings was that the bill was unconstitutional in that it dealt with interstate commerce.

The Senate voted down a half dozen amendments offered by Senator Donald O. Wright of Minneapolis. The most important of these was one providing that cancellation of films be done through the consent decree arbitration boards. Another would have added the word "social" to the list of religious, charitable and fraternal organizations exempted in the bill.

The Senate did pass one amendment offered by Senator A. O. Sletvold providing for cancellations of pictures on moral, racial or religious grounds. Sletvold had the bill placed on special order at the reported request of Northwest Allied, which sponsored the bill.

Report U.A. Holds Lesser on RKO Deal

(Continued from page 1)

pictures, or at least one yearly. His original contract was for five years.

Also from the Coast, it is reported that Lesser has offered to guarantee delivery of a picture to U. A., for the coming season, providing U. A. granted him his freedom so he could join RKO.

To Get P.R.C. Post

Sid Kulick will replace his brother, Bert Kulick, as sales manager at the New York exchange of Producers Releasing Corp., when the latter reports for duty in the Navy on May 1.

Rochester Clearance Case Withdrawn on Compromise

(Continued from page 1)

nakos, operator of the American Theatre, Albany.

Settlement of the "some run" complaint of the Gayety Theatre, Minneapolis, against 20th Century-Fox was reported by that tribunal yesterday. The case was scheduled for hearing last week but the settlement was reached beforehand. David Gillman, owner of the Gayety, has a similar complaint pending at the Minneapolis board against Paramount, with hearing set for today before Arbitrator Leslie J. Anderson.

Settlement of the clearance complaint of the Rialto Theatre, Cape Girardeau, Mo., against all five consenting companies and Fox Midwest, is under discussion. The complaint was scheduled for hearing at the St. Louis tribunal late last week but was postponed to May 1, pending the outcome of the settlement discussions.

Eastern Pa. UMPTO Renews Service Offer

PHILADELPHIA, April 21.—A second offer to members of UMPTO of Eastern Pennsylvania, Southern New Jersev and Delaware to avail themselves of the free legal service of George P. Aarons, counsel for the organization and associate general counsel of M.P.T.O.A., on arbitration cases before the local board was issued today by Lewen Pizor, president, today. A similar letter was sent by Pizor shortly after the consent decree became effective.

Baltimore Decision Awaits Filing Briefs

WASHINGTON, April 21.—Hearing of the Westway Theatre, Baltimore, clearance complaint against 20th Century-Fox, Warners and Loew's was concluded before Arbitrator Sefton Darr at the local tribunal on Saturday. The proceedings took five days. The decision will be withheld pending the filing of briefs by counsel.

N. O. Hearing Off to May 13

NEW ORLEANS, April 21.—Hearing of the "some run" complaint of Modern Theatres' Drive-In here against Warners, scheduled to open tomorrow, has been postponed to May 13.

Prudential Takes Interest of Casey

(Continued from page 1)

Wheeler offices here will be consolidated with those of Prudential.

The eight houses involved are: the Playhouse, Richfield, Conn.; Playhouse, New Canaan, Conn.; Playhouse, Mamaroneck, N. Y.; Playhouse, Rye, N. Y.; Strand, White Plains, N. Y.; Larchmont, Larchmont, N. Y., and Playhouse and Garden Theatres, Princeton, N. J. The new arrangement will be effective next Sunday.

Finish Two Col. Shorts

Columbia has completed two short subjects in Florida, tentatively titled "Diving Thrills" and "Water Rodeo." Harry Foster directed. J. Burgi Contner was the cameraman.

Harold B. Franklin Dies in Mexico City

(Continued from page 1)

a national circuit, and was vice-president of Publix Theatres. Subsequently he was president of Fox West Coast Theatres and later president of Hughes-Franklin Theatres.

On his resignation from the latter post, he became an executive in an advisory capacity for RKO, then president of KAO and the RKO circuit. He resigned in 1933, and formed Frankwyn Productions, with Arch Selwyn, to produce stage plays. He later became president of Standard Theatres, Inc., and in 1935 joined the production staff of Columbia, resigning in 1937. In 1938 he managed the Motion Pictures Greatest Year campaign, and last year produced independently for RKO release. He is the author of two books, "Motion Picture Theatre Management" and "Sound Motion Pictures."

'Hamilton' Gets 4th Week at Music Hall

(Continued from page 1)

Jimmy Dorsey's band on the stage, took an estimated $23,000 Friday through Sunday of the second week. The bill will be held over a third week.

"Meet John Doe" will end its run at the Rivoli on Thursday, and "The Flame of New Orleans" will open there Friday evening. "Lady from Cheyenne" and a stage show at the Roxy garnered an estimated $26,400 Thursday through Sunday of the first week. "I Wanted Wings" drew an estimated $9,000 for the fourth week at the Astor. The fifth week starts tomorrow.

'U' V. T. C. Holders To Vote on Pacts

WILMINGTON, Del., April 21.—Voting trust certificate holders of Universal Corp. are scheduled to vote at a meeting here today on the new seven-year employment contracts for seven of the top executives of Universal Pictures Co. Stockholders of the latter company approved the pacts at their annual meeting here last month. Arrangements for the contracts, however, stipulated that they would be submitted also to the voting trust certificate holders of the parent company, Universal Corp.

Charles D. Prutzman, Universal vice-president and general counsel, will preside at the meeting.

Awards to RKO Offices

Twelve RKO exchanges share in the RKO Pathe News special awards in the fourth period, which ended in mid-April. The winning exchanges are: Chicago, Charlotte, Atlanta, Los Angeles, Washington, Dallas, Cleveland, New Orleans, Pittsburgh, Sioux Falls, Oklahoma City and San Francisco.

U.S. Protests Nazi Grab of Paris Offices

(Continued from page 1)

Department have been handled by representatives on the spot, and in some instances have been straightened out.

Protests on Axis Films To Go to State Dep't

Joseph H. Seidelman, vice-president and foreign manager of Universal, reported last week that when German officials requisitioned the company's Paris office some time ago, a formal claim was made by the company for compensation for furniture and fixtures, and payment subsequently was received.

Seizure of the Paris offices of other film companies was reported from Vichy last week, whereas the Universal office was taken over several months ago.

Recently Max A. Cohen, head of Allied of New York, and the New York I. T. O. A. issued statements protesting the continued importation of German and Italian motion pictures into this country, and these protests also are expected to go to the State Department in the near future.

Those protests pointed out that few American pictures were admitted to those countries last year and none are likely to be admitted this year. Also, rentals received from the American films in those countries may not be transmitted to America, whereas proceeds of the Axis films are allowed to be transmitted to those countries. It was also pointed out by the exhibitor leaders that the Axis films serve a propaganda purpose as contrasted with the entertainment purpose of American films.

Gross for 'Wind' Hits $32,000,000

The box-office gross on "Gone With the Wind," has reached $32,000,000, it is estimated by M-G-M officials. Yesterday, the company issued a press release placing the domestic box-office gross of the film "in excess of $31,000,000."

The picture, it is reported, grossed about $1,000,000 additionally on its foreign bookings, which are reported to be about 100, only a fraction of the potential foreign bookings which the picture has yet to obtain.

The estimated film rentals accruing from the domestic release of the picture so far are estimated at about $19,500,000, bringing its world-wide film rentals to a point above $20,000,000.

On its first release, the picture played approximately 4,600 bookings and is reported grossing in excess of $26,000,000 at the box-office, and on its present release in approximately 3,400 theatres, about $4,500,000. Altogether, it is reported the picture has had about 8,000 engagements, playing to about 45,000,000 persons. The last figure is embodied in the company's own announcement. "Gone With the Wind" was first released in December, 1939.

Theatre Costs For Television 'Feasible': RCA

Officials of RCA yesterday gave it as their opinion that on the basis of approximate costs of theatre television to be disclosed this week, probably on Thursday, New York exhibitors will find it economically feasible to install and operate the new medium.

Together with the announcement of costs, RCA will disclose how the large screen equipment will be marketed, it was said. It also was formally announced that film, radio, stage and sports executives will be invited to the "big screen" premiere showing at the New Yorker Theatre May 9.

[*RCA's intention to unveil large screen television at the New Yorker for industry executives May 9 was revealed exclusively in* MOTION PICTURE DAILY *on April* 3.]

The New York Telephone Co. has prepared line cost estimates for about 35 zones within the four New York boroughs (excluding Richmond) and the estimated costs to theatres to be given by RCA will include these figures.

Because of a switch in boxing dates, the middleweight championship bout between Billy Soose and Ken Overlin will be telecast instead of the originally scheduled Louis-Simon match. The pictures will be shown on screen 15 by 20 feet from a direct wire from Madison Square Garden.

In addition to the fight, the program will include a news telecast and a dramatic play which will demonstrate a new RCA sound system in connection with television. A roundtable discussion by film and stage figures is also planned.

Blumenthal Objects

Eugene Garey, counsel for A. C. Blumenthal, appeared in Federal district court here yesterday with a motion to quash a subpoena served on Blumenthal for failure to appear as a witness in the recent Government trial of Joseph M. Schenck. Blumenthal is said by his attorney to have been ill in Mexico City at the time.

13 Eastern States Plan Blackout Test

Philadelphia, April 21. — A blackout to test a civilian air raid precaution system will be held in the East "sometime this Summer," it was disclosed by American Legion officials. The test will be conducted simultaneously in Pennsylvania along with 13 other Eastern states including New York, the six New England States, New Jersey, Delaware, Maryland, Virginia and parts of North Carolina and West Virginia.

Off the Antenna

NEVILLE MILLER, president of the National Association of Broadcasters, will be chairman of the national radio committee of the United Service Clubs Organizing for National Defense. The Clubs will seek $10,000,000 to provide comforts for drafted men. Live talent programs, transcriptions and spot announcments are being used in the campaign. Jesse Butcher, formerly with CBS and NBC, is director of radio.

• • •

Purely Personal: *Stephen Fuld of the CBS station relations staff will leave for Memphis over the weekend to attend dedication ceremonies for WDOD's new studios Monday. . . . Robert Schmid, Mutual director of advertising and promotion, will receive the "Award of the Rake" Thursday from the New York Advertising Club. The award is given to men under 30 who have "outstanding accomplishments" to their credit. . . . Ade Hult, member of Mutual's Midwestern sales staff, has been placed in charge of all Midwestern sales for the network, a newly created post. . . . Frances Sprague, NBC librarian, will address the Special Libraries Association at the Hotel Tudor tomorrow. . . . O. B. Hanson, NBC vice-president and chief engineer, returned yesterday after a three-week trip to the coast. . . . Gregory Abbott, Paramount News announcer, yesterday joined WMCA as newscaster. . . . Bernard J. Fuld, WQXR engineer, left yesterday for Navy duty. Philip K. Palmer, formerly of WMCA, has joined WXQR announcing staff. . . . Frank E. Mason, NBC vice-president in charge of public relations, will discuss "Radio in Wartime" before the Neiman Fellows at Harvard, Friday. . . . Charles C. Barry, night supervisor for NBC Washington stations, has been named assistant NBC-Blue program director.*

• • •

A plan for sale of newspaper advertisements for sponsored programs has been launched by Who's Who on the Air, Inc., headed by F. R. Barnard, advertising executive. It provides for a group of 10 ads to be used each day in a selected list of newspapers. The ads will include the program talent, time and station, name of sponsor and illustration of the product. The insertions will be started when 70 participating sponsors are obtained, providing for one full grouping each day, Barnard said. The Donahue & Coe agency will place the copy.

• • •

Program News: *"Silver Theatre Summer Show" will be the title of the program featuring Ed Sullivan, columnist, which replaces the regular "Silver Theatre" for International Silver Co. over CBS beginning Sunday. . . . Gen. Hugh Johnson, Beatrice Fairfax, Arthur "Bugs" Baer, Inez Robb, Otto Soglow and Charles A. Smith will be heard on the "Vox Pop" show over CBS Thursday in a tieup with the ANPA convention here.*

Columbia to Pay Trainees' Salary

HOLLYWOOD, April 21. — Columbia announced today that it would pay draftees two weeks' salary for one year's service, three weeks' pay for two years' service, and four weeks' salary for three years' service.

The amounts paid are not to exceed $400 in any instance, and all features of the plan are retroactive. It is not necessary that the employe be in the company's employ at the time, so long as he was on call.

The studio also announced that it will maintain the trainees' company group insurance and that it will meet its obligations under the selective service act and restore trainees to their jobs.

Oscar Serlin Buys Play Rights to 'AP'

Oscar Serlin, producer of "Life With Father," has purchased the stage rights to "AP," story of the news service by Oliver Gramling. Serlin plans a Broadway production next Fall.

The deal was arranged by Serlin's literary representative, Annie Laurie Williams, with the Press Association, Inc., AP subsidiary, and Farrar & Rinehart, publishers of the book. Serlin will leave for Hollywood today to arrange for the adaptation, with production to start when the script is completed.

Approve U. S. Record Reorganization Plan

Plan of reorganization of U. S. Record Corp. was approved yesterday by Federal Judge Vincent T. Leibell after a court hearing. The formal order will not be signed until two-thirds of the creditors file consent. The plan calls for 14 per cent to unsecured creditors, and payment in full by officers of the company of wage claims and administration expenses. The petition for a reorganization was filed in September, 1940.

The U. S. Record Corp. manufactures phonograph records under the trade names "Varsity" and "Royale," as well as transcriptions for radio program producers and talent. Officers are Charles Hemenway, president; Eli E. Oberstein, vice-president: Lowell A. Mayberry, treasurer, and Harry Smith, recording manager.

Guilty in Stench-Bombing

OSHKOSH, April 21. — A six-man municipal court jury has found Stephen Martz, Milwaukee electrician, guilty of the stench-bombing of the Strand here on Feb. 25. The offense is punishable by a fine of $100 and costs, or six months in jail.

Dallas Attorney Shot

DALLAS, April 21.—Patrick Russell, attorney who represented several independent exhibitors in anti-trust cases, was shot in the side by a Negro yesterday when he attempted to serve a paper. Russell will recover.

Broadcasting In War Offers Little Problem

WASHINGTON, April 21.—War-time broadcasting offers no important problem, and the Defense Communications Board is "wasting no time" on it in its study of emergency communications, it was disclosed today by the Chairman James L. Fly.

Discussing the activities of the Board, which by executive order has been placed under the Office of Emergency Management with other major defense activities, Chairman Fly explained that no concern is felt over broadcasting but that the DCB is devoting itself to the problems of communications.

At the same time, however, it was learned that War Department officials have given radio attention in connection with their plans for "blackouts" in the case of enemy raids, which will call for a suspension of broadcasting in such an emergency. This, it was explained, is to prevent enemy planes from "riding" to a target on the wave of a broadcasting station.

Legislation is proposed in Congress providing for the conducting of experimental "blackouts" in the District of Columbia, by means of which the Army could perfect plans for application in any city or area in the event of war. Such plans would call for the cutting off of all lights, including those of theatre marquees and store fronts and signs, automobiles, etc., and the shutting down of broadcasting.

Educators to Consider Radio's Role in War

COLUMBUS, O., April 21.—Radio in war time will be considered at the 12th Institute for Education by Radio sponsored by Ohio University, to be held May 4-7 at the Deshler-Wallick Hotel here.

"Radio in the Current Crisis" will be the subject of the opening general session which will be held May 5. That afternoon, "Handling News and Special Events Broadcasts" will be discussed under the leadership of Paul W. White, CBS director of special events.

"Radio and Cultural Relations with the Americas" will be discussed the morning of May 6, and on the following day "Radio in War Times" will be under consideration. The fifth annual American exhibition of recordings of educational radio programs will be a feature of the meeting.

Separate dinner sessions will be conducted for educational directors of stations affiliated with CBS and NBC. On May 4, an "initiation meeting" for newcomers is planned. The annual dinner will be held May 6.

Publishers' Meeting To Discuss Radio

Relationship of newspapers to radio will be a major topic at the American Newspaper Publishers Association annual convention which starts today at the Waldorf-Astoria. Mark Ethridge, who heads a committee of publishers interested in FM broadcasting, has been holding meetings here since the weekend and will make an official report on the situation this afternoon.

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Report Arnold To Seek Veto Of Minn. Bill

Firms, U. S. Study Ways To Offset Measure

WASHINGTON, April 22.—It is reported that Assistant U. S. Attorney General Thurman Arnold will make representations to Governor Harold E. Stassen, of Minnesota, urging the latter to veto the anti-block-of-five bill which has been passed by the Minnesota Legislature.

Thurman Arnold

Passage of the measure occasioned little surprise in high film circles, according to officials. This fact is explained by the impression which has been long entertained here that the passage of the bill was a foregone conclusion.

Gov. Harold E. Stassen is reported from Minneapolis as withholding de-

(*Continued on page 7*)

Coast Flashes

Hollywood, April 22

MARC LACHMAN, 44, Broadway press agent and former studio publicity chief of the old Universal company, died today in the U. S. Veterans Hospital following six weeks' illness. He is survived by his widow, Melva, and a year-old baby. Funeral services will be private.

•

Samuel Goldwyn has signed William Wyler, director, to an exclusive two-year deal. Wyler is now in his sixth year with the producer.

•

Paramount will make a story on the life of the late Texas Guinan, Broadway actress and night club hostess. The studio concluded a deal with the heirs of the Guinan estate for permission to produce the film.

•

Republic today rescinded Judy Canova's suspension.

Cameras Are Placed On Priorities List

Washington, April 22.—Motion picture cameras have been placed on the priorities critical list, but have not yet been subjected to allocation, it was disclosed today by the Office of Production Management.

The priorities critical list, it was explained, consists of items, largely military in character, on which the War and Navy Departments may issue preference rating certificates to insure the execution of contracts in the order of their importance.

House Approves Revised Measure

MINNEAPOLIS, April 22.—Minnesota's anti-five-block bill went back to the House today for approval of two amendments made by the Senate and was re-passed, 101 to 3. The Senate passed it yesterday.

One amendment provides for cancellation of films on moral, racial or religious grounds, to which the Senators added that an exhibitor's belief that a picture may damage his business is another ground. This amendment was included because the provision formerly was in the preamble and would not become law unless added by amendment.

The other amendment provides that in cancelling a picture, the exhibitor must notify the distributor by registered letter.

U. S. WILL SEEK 10-CENT TAX BASE

Treasury to Urge Lower Admissions Exemption At House Hearing

By BERTRAM F. LINZ

WASHINGTON, April 22.—Application of the present admission tax to all admissions of 10 cents or more will be asked by Secretary Morgenthau when hearings on the new revenue bill start Thursday before the House Ways and Means Committee, it was authoritatively reported today.

This would revive the tax in effect during the World War and would be designed to bring the Government additional revenue of $55,000,000 a year from this source.

Tax experts said that the progressive reduction in the exemption from 40 to 20 cents last July 1 and now to nine cents, will bring the Treasury an increase of approximately $100,000,000 a year over what was collected before the exemption was lowered to the present level.

The tax rate would be one cent on each 10 cents of admission or fraction thereof, as at present.

The reduction in exemption is the only action contemplated by the

(*Continued on page 7*)

Para. Clears $2,600,000 in First Quarter

Paramount earnings for the first quarter of 1941, ended March 27, are estimated by Wall Street sources to be in excess of $2,600,000, or a gain of more than $1,000,000 over the company's net for the corresponding quarter a year ago.

Barney Balaban

Some estimates in the financial district place the net for the three months as high as $2,800,000. All estimates include Paramount's net interest as a stockholder in the undistributed earnings for the quarter of the company's partially owned, non-consolidated theatre subsidiaries. The estimates compare

(*Continued on page 7*)

Arbiters Reject Exhibitors' N. J. and N. O. Complaints

PHILADELPHIA, April 22.—The arbitration demand of the Florence Theatre, Florence, N. J., for availability of pictures immediately after the Fox, Burlington, N. J., was totally disallowed by Robert J. Callaghan, arbitrator, in a decision handed down here today.

The clearance complaint was the first of record at the local board, having been filed on March 3 against all five consenting companies, and was heard by Callaghan on April 4.

Meanwhile, the local board's fourth complaint was filed today by Bryant Wiest, operator of the Hollywood, Elizabethville, Pa., against M-G-M. Plaintiff asks for the same clearance

(*Continued on page 6*)

Plan New Exhibitor Association in Iowa

DES MOINES, April 22.—Plans for a new theatre organization to succeed the Allied Independent Theatre Owners of Iowa and Nebraska are now in the hands of a committee composed of the present organization's board of directors. An outline for the proposed organization is now being prepared, to be presented at a special meeting later this Spring. Leo F. Wolcott, ITO president, has circularized the members asking suggestions.

Representatives of Tri-States Theatres Corp. met with the independent

(*Continued on page 7*)

Report Stern Shift To Chicago for UA

Charles Stern, United Artists Eastern district manager, it was reported at the home office yesterday, is to be transferred to Chicago shortly, to take charge of that territory in addition to Milwaukee, Minneapolis and Denver. Arthur W. Kelly, vice-president in charge of distribution, is expected to make the announcement soon. Haskell Masters is Western division manager of U. A.

Stern would succeed Irving Schlank as district manager at Chicago. The

(*Continued on page 7*)

In Today's Issue

Three reviews, on Page 4: "Missing Ten Days," "Pals of the Pecos," "South of Panama." 20th Century-Fox expects 15 films by August, Page 6. Newspaper publishers organize radio group, Page 8.

Sues After 'Hanging'

Injured while in the process of being hanged—for the screen—was the burden of the $25,000 damage action brought some time ago by Boris Demitroff against Universal. N. Y. Supreme Court Justice Denis Cohalan yesterday dismissed the suit for failure to prosecute. Demitroff had claimed he suffered injuries because of a defective rope while acting as the victim of a hanging scene in a Universal film.

Premiere of 'Flame' In N.O. Tomorrow

New Orleans, April 22.—A group of Hollywood personalities are scheduled to arrive here tomorrow for the two-day celebration which will be climaxed Thursday evening with the opening of Universal's "Flame of New Orleans" at the Orpheum Theatre.

The group from the Coast will include: Joe Pasternak, producer; Rene Clair, director, and Mrs. Clair; Bruce Cabot, Mischa Auer, Mr. and Mrs. Andy Devine, Mr. and Mrs. Hugh Herbert, Peggy Moran, Anne Gwynne, Helen Parrish, Evelyn Ankers.

A parade, greeting by Mayor Maestri, a civic luncheon, cocktail party and a dinner are on the schedule for tomorrow. The premiere on Thursday will be followed by a supper dance at the Roosevelt Hotel. The opening night's proceeds will go to the New Orleans Tuberculosis Hospital. Governor Jones of Louisiana is expected to attend.

Personal Mention

JAMES R. GRAINGER, president of Republic, left by plane last night for Pittsburgh and Washington. He expects to return Saturday.

•

SAM GOODMAN, Century Circuit executive, is vacationing. He is expected back Monday.

•

LOU WOLFF, booker for Brandt Theatres, reports tomorrow for a year's military training.

•

DON HINDMAN, HARRY BRANDT, LESLIE E. THOMPSON, PERCY N. FURBER, CHARLES STERN, CLARENCE EISEMAN, MARCUS HEIMAN, ALBERT DEAN, RALPH AUSTRIAN, NAT HOLT and WILLIAM ORR at Nick's Hunting Room in the Astor yesterday for lunch.

•

BUDD ROGERS, LOU POLLOCK, S. S. KRELLBERG, TOM WALLER and JACOB WILK lunching at the Tavern yesterday.

•

ROBERT WOLFF, MORRIS KINZLER, BENNY FIELDS and EUGENE PICKER having lunch yesterday at Lindy's (next to the Rivoli).

•

JACK COHN, ABE SCHNEIDER, HAL HORNE, JOSEPH PINCUS, JOSEPH MOSKOWITZ and J. J. MILSTEIN at Lindy's (51st St.) yesterday for lunch.

•

CLAYTON BOND, MORT SPRING, BARNEY BALABAN, MELVILLE COOPER, SOMERSET MAUGHAM, DAVE BLUM and DENNIS KING lunching at Sardi's yesterday.

•

ARCH M. BOWLES, division manager for Fox West Coast in San Francisco, has been elected a director of that city's Market Street Association.

•

LOUIS R. GOLDING, Fabian Theatres district manager, has returned to Albany from New York.

•

VICTOR BUNZE, operator of the Casion Theatre, Waterford, N. Y., has purchased a Summer home at Saratoga Lake.

•

FRANK WOODS of the Peerless Theatre, San Francisco, is the father of a daughter, named BARBARA.

•

S. G. FRY, manager of the Joy Theatre in Tyler, Tex., and WILLIAM SHIELDS, Interstate Circuit manager, have been elected to the Tyler City Commission.

•

DANIEL FINN, Warner Theatres district manager in New Haven, is motoring through New England.

•

JOHN HESSE, manager of the Roger Sherman in New Haven, was guest speaker yesterday before the Junior Motion Picture Councils of the public schools.

•

SHERMAN GERMAINE, operator of the Fairmount, New Haven, is the father of a daughter, ARLENE BARBARA, born this week at Grace Hospital.

•

BRUCE BAUSMAN, manager of the Victoria Theatre in Tamaqua, Pa., and LEDA BALDWIN will be married in August.

•

WILLIAM KEIGHLEY, director, and his wife, GENEVIEVE TOBIN, are vacationing this week in Atlantic City.

•

EDWARD KIMPEL, JR., supervisor of the Rome Theatres in Baltimore, is recovering from an operation at the Union Memorial Hospital there.

•

ROY MILLER of the Regal in San Francisco has been drafted, and was given a dinner by his chief, AARON GOLDBERG.

•

LOUIS ROME, Baltimore circuit operator, is vacationing in Atlantic City.

Franklin Services To Be Held on Coast

HOLLYWOOD, April 22.—The body of Harold B. Franklin, who died suddenly in Mexico City Sunday night, will be cremated in the Mexican capital, and the ashes returned here for burial.

Newsreel Parade

FOREST fires sweeping through sections of New Jersey and Massachusetts make for stand-out newsreel material. Another big subject is the earthquake in Mexico. Contents of the new reels follow:

MOVIETONE NEWS, No. 65—Fo[illegible] fires. Earthquake in Mexico. Windso[illegible] Palm Beach. James Roosevelt off [illegible] China. Deanna Durbin weds Vaughn Paul. Tank production in Pennsylvania. Troops in Texas learn jiu jitsu. Marathon run in Boston. Grand National race in Maryland.

NEWS OF THE DAY, No. 263—Forest fires. Tank output speeded in Pennsylvania. Deanna Durbin's wedding. Earthquake in Mexico. Grand National race in Maryland. Rowing in California. New York Boys Club bouts.

PARAMOUNT NEWS, No. 68—Windsors in Palm Beach. Prince Olav of Norway in Canada. Bundles for Britain blessed in New York. Apple festival in Washington. Speed tank output in Pennsylvania. Moving day at Philadelphia Zoo. Army of the Nile moves on. Forest fires in New Jersey. Deanna Durbin weds Vaughn Paul in Hollywood.

RKO PATHE NEWS, No. 68—Forest fires in New Jersey. Tanks ready for test runs in Pennsylvania. American sailors in Sydney. Deanna Durbin's wedding. Byrd expedition homeward bound. British troops continue offensive in Africa. Rowing regatta in California. Grand National race in Maryland.

UNIVERSAL NEWSREEL, No. 973—Earthquake in Mexico. Forest fires. Three ships for South American run under construction in Mississippi. Tanks roll off assembly line in Pennsylvania. Marathon in Boston. Racing at Jamaica. New York boys in boxing bouts. Apple festival in Washington.

Lillian Hellman Play Wins Critics' Award

Lillian Hellman's play, "Watch on the Rhine" yesterday won the sixth annual Critics Circle Award. Annual citation for the best play of foreign authorship went to Emlyn Williams' "The Corn Is Green." Both plays were produced and directed by Herman Shumlin, and this was the first time that both awards went to the same producer.

New Pact for Ruben

HOLLYWOOD, April 22.—J. Walter Ruben, producer, has been signed to a new long term contract by M-G-M.

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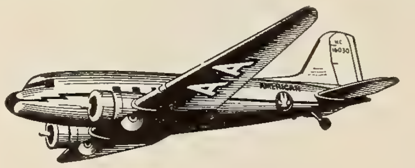

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MILLIONS ARE WAITING TO SEE THIS HUMAN DOCUMENT

Leo socks 2 Home-Runs in a Row!

"MEN OF BOYS TOWN"

HELD OVER!

Philadelphia 3rd Week! 2nd Week: Los Angeles (*2 theatres Day and Date*); New York; San Francisco; Cleveland; St. Louis; Milwaukee; Washington, D. C.; Buffalo; Omaha; Seattle; Columbus; Cincinnati; Worcester; Hartford; Denver; Oakland; Portland and

MORE EXTENDED RUNS AS WE GO TO PRESS!

SPENCER TRACY, MICKEY ROONEY in "MEN OF BOYS TOWN" with Bobs Watson, Larry Nunn, Darryl Hickman, Henry O'Neill, Mary Nash, Lee J. Cobb. Original Screen Play by James Kevin McGuinness. Directed by Norman Taurog. Produced by John W. Considine, Jr. A Metro-Goldwyn-Mayer Picture.

"ZIEGFELD GIRL"

SENSATIONAL!

Boston (*playing 2 theatres Day and Date*) beats "Boom Town." Philadelphia is 30% better than "Great Ziegfeld." Chicago terrific! Albany is doing marvelous "Philadelphia Story" business. Detroit tops "Babes in Arms." Just the first few engagements. The most widely publicized and advertised picture in years.

HELD OVER EVERYWHERE!

"ZIEGFELD GIRL" starring James Stewart, Judy Garland, Hedy Lamarr, Lana Turner with Tony Martin, Jackie Cooper, Ian Hunter, Charles Winninger, Edward Everett Horton, Philip Dorn. Screen play by Marguerite Roberts and Sonya Levien. Directed by Robert Z. Leonard. Produced by Pandro S. Berman. A Metro-Goldwyn-Mayer Picture.

Night Baseball in Seattle Next Week

Seattle, April 22.—Night baseball, the bugaboo of theatre business, makes its 1941 debut next week when Seattle and Sacramento open the first home series of the current Pacific Coast League race. Attendance at last year's evening games ran between 5,000 and 15,000 nightly, and indications are that this season's business will be even larger.

Lesser Stays with U.A.: Silverstone

HOLLYWOOD, April 22.—"Sol Lesser's relations with United Artists will remain unchanged," Maurice Silverstone, chief of world-wide operations of that company, stated today. This is interpreted by observers as meaning that Lesser's chances of taking the helm of RKO's production are dead, confirming MOTION PICTURE DAILY's story of yesterday that U.A. was not inclined to release Lesser from his contract.

"Lesser," Silverstone further stated, "is under personal exclusive contract to United Artists until September, 1945, for release of all of his productions during that period with certain minimum obligations annually, and in addition thereto any Ernst Lubitsch films made in association with Lesser.

"'Strange Victory' will be the next film to be personally produced by Lesser for United Artists release, and Lubitsch will shortly begin work on his second and final picture to be produced by Lesser for the company in association with him."

Six Firms Formed; Four Are Dissolved

ALBANY, April 22.—Six film companies have been chartered here for operation in New York State and four others have been dissolved. The six new firms are: D. H. Keith Amusement Corp., New York; Mercury Holding Corp., Buffalo; Roluce Corp., New York; Joliet Theatre, Inc., New York; Colony Film Corp., Brooklyn, and L. A. S. Theatres, Inc., New York.

The four companies dissolved were: Coitrol Amusements, Inc., and Halcyon Amusements, Inc., New York, and Ninth Avenue Amusement Co., Inc., and Tenth Avenue Amusement Co., Inc., Brooklyn.

PRC of America Is New Company Name

ALBANY, April 22.—Producers Releasing Corp. has filed a change of name with the Secretary of State. The new name will be the Producers Releasing Corp. of America. At the same time Syndicate Exchanges, Inc., has filed a change of name to Producers Releasing Exchange, Inc.

It was explained at the Producers Releasing Corp. home office yesterday that the name was changed to differentiate the company from the names of the franchise holders, which carry the PRC name with the name of the franchise area. Syndicate has become the PRC franchise holder in New York.

Feature Reviews

"Missing Ten Days"

(Asher-Columbia)

PRODUCED in England by Irving Asher, and distributed in this this country by Columbia, "Missing Ten Days" is effective spy melodrama, directed most ably by Tim Whelan, and starring Rex Harrison, who acquired a well-deserved American reputation for his work recently in "Night Train," and who herein proves that reputation not unfounded.

Based on a novel by Bruce Graeme, "The Disappearance of Robert Tremayne," the film concerns the efforts of spies in the pay of unknown countries to obtain the plans of French fortifications, presumably part of the Maginot Line. The supporting cast includes Karen Verne, C. V. France, Joan Marion and Leo Genn, all of whom are satisfactory, but quite unknown to American audiences.

Harrison, an Englishman, finds himself in the middle of a spy ring, when he is mistaken for one of them whom he resembles, after suffering 10 days of amnesia after crashing in France in his own plane. He is shot accidentally, as a result of the mistaken identity, it develops later, by an irate wife who has nothing to do with the plot. Falling in with the spies, Harrison meets Miss Verne, a French countess engaged to a French officer, and as her chauffeur and butler, uncovers the spy ring, and in a thrill-packed climax, saves a munitions train headed into the fortifications with a time-bomb attached.

Running time, 80 minutes. "G."* CHARLES S. AARONSON

"Pals of the Pecos"

(Republic)

THE Three Mesquiteers, Robert Livingston, Bob Steele and Rufe Davis, are off on another adventure, solving other peoples' troubles and getting into some bad scrapes of their own.

It is a rough and tumble story of a road which has to be completed before a certain deadline in order to meet a post office contract and of the efforts of unscrupulous business men and a crooked lawyer to prevent the fulfillment of the contract.

There are the customary complications when a payroll holdup causes the construction gang to desert but the road is completed in time for a big climax, while the villains make a last-minute effort to prevent the test run from going through on schedule.

Included in the cast are June Johnson, Robert Winkler, Pat O'Malley, Dennis Moore, Robert Frazer, Roy Barcroft, John Holland and Tom London. Lester Orlebeck, who directed, has provided enough fist fights and gun battles to satisfy most Mesquiteer fans. Louis Gray produced.

Running time, 56 minutes. "G."* EDWARD GREIF

"South of Panama"

(Producers Releasing)

ROGER PRYOR and Virginia Vale have not too much with which to work here. However, it should prove satisfactory in the smaller situations. The film, produced by Jean Yarborough, is the usual secret-formula melodrama. The locale is Panama.

A formula for "protective paint," perfected by Miss Vale's brother, is coveted by foreign agents. They are led to believe that Pryor, a reporter on vacation, is her brother, and the ensuing developments revolve around him. Their attempts ultimately lead to an exciting automobile chase during which their car plunges off a cliff.

On the credit side also are some welcome comedy hits by Sam McDaniel and Miss Vale's entertaining rendition in Spanish accent of "Madame Will Drop Her Shawl."

Running time, 68 minutes. "G."

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*"G" denotes general classification.

Scully to Studio For Talks Friday

William A. Scully, general sales manager of Universal, plans to leave for the studio on Friday for conferences on the new season's production program. The conferences will be participated in by Nate J. Blumberg, president, and J. Cheever Cowdin, chairman, who are on the Coast, and Cliff Work, studio head.

Scully returns today from Boston, where he held a sales meeting at the local exchange.

Monogram Meeting Here Next Saturday

The third regional sales meeting of Monogram will be held here Saturday and Sunday at the Hotel Warwick. Earlier meetings have been held in San Francisco and Chicago.

Samuel Broidy, general sales manager, will preside here, with sales representatives present from New York, Buffalo, Albany, New Haven, Boston, Philadelphia, Washington and Pittsburgh.

'Zanzibar' Is Hit in Chicago With $43,000

CHICAGO, April 22.—"Road to Zanzibar" at the Chicago Theatre with Eddy Howard on the stage grossed a strong $43,000. At the State-Lake "Buck Privates" and a variety st[illegible] show grossed $18,000.

Estimated receipts for the week ending April 18:

"Fantasia" (Disney)
APPOLLO—(1,400) (50c-75c-$1.10-$1.65) 7 days, 8th week. Gross: $9,500. (Average: $6,500)
"Road to Zanzibar" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Eddy Howard & Stage Show. Gross: $43,000. (Average: $32,000)
"Topper Returns" (U. A.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $6,000. (Average: $5,000)
"Wild Man of Borneo" (M-G-M)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Variety Stage Show. Gross: $9,500. (Average: $13,000)
"Nice Girl" (Univ.) 3 days.
"The Man Who Lost Himself" (Univ.) 3 days.
"Devil and Miss Jones" (RKO) 4 days.
"A Girl, A Guy and A Gob" (RKO) 4 days.
PALACE—(2,500) (35c-55c-75c) Gross: $14,000. (Average: $13,000)
"So Ends Our Night" (U. A.)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days. Gross: $9,500. (Average: $11,000)
"Buck Privates" (U.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Variety Stage Show. Gross: $18,000. (Average: $15,000)
"Ziegfeld Girl" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $13,000. (Average: $14,000)

Phila. AFM Unit Must Reimburse Members

PHILADELPHIA, April 22.—The local musicians union has been ordered by the State Superior Court to reimburse three members for loss of pay for the time the union barred them from their jobs at the Carmen Theatre here.

Leon Gordon, George W. Tipton and Alvin Schatz, the musicians, charged the executive board of the American Federation of Musicians withdrew them from the theatre after the local union's trial board found them not guilty of working under scale.

The original ruling was handed down several months ago in Common Pleas Court and was sustained by the higher court, affirming that the AFM action was void because it was taken beyond the 30-day period allowed by the AFM constitution.

$256,886 Quarter Profit by G. T. E.

Consolidated net profit of $256,886 was reported yesterday by General Theatres Equipment Corp. and subsidiaries, excluding Cinema Building Corp., for the three months ended March 31. The figure is after depreciation and estimated Federal income taxes and compares with $212,681 earned in the corresponding period last year.

Thomas Chatburn Dies

NORTH ADAMS, Mass., April 22.—Thomas W. Chatburn, 55, manager of the New York Hippodrome while it was occupied by Billy Rose productions, died at his home here yesterday of a heart attack. Ill health forced his retirement as manager of the local Richmond Theatre some months ago.

MORE THAN HALFWAY

DEFT treatment and dramatic lighting contribute much to modern screen productions. Unusual effects receive competent support from the wide latitude and exact uniformity of Eastman negative films. They always can be depended upon to meet director and cameraman more than halfway. Eastman Kodak Company, Rochester, N. Y.

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for general studio use

SUPER-XX
when little light is available

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for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Schenck Appeal to Cite Many Errors

Many reversible errors will be cited by attorneys for Joseph M. Schenck and Joseph H. Moskowitz in their application for an appeal from the jury verdict given in the Government's tax case last week. Judge Grover M. Moscowitz is scheduled to pronounce sentence at 2 P. M. tomorrow.

20th-Fox Expects 15 Films Ready by Aug.

Twentieth Century-Fox expects to have between 10 and 15 features completed and ready for delivery Aug. 1 in anticipation of the new selling season, according to a press release by the company yesterday. The expectation was based on production assignments by Darryl F. Zanuck, vice-president in charge of production.

Fleischers Offer to Make Training Films

Max and Dave Fleischer, heads of the Fleischer studio in Miami, in a letter to President Roosevelt, have offered to produce educational film cartoons to assist in training American troops. In the first World War, the Fleischers produced a series of 20 one-reel cartoons used in training.

20th-Fox Buys 'Margin'

Twentieth Century-Fox has purchased the screen rights to the play, "Margin for Error," by Clare Boothe. The mystery melodrama ran for 262 performances on Broadway.

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Arbiters Reject Exhibitors' N. J. and N. O. Complaints

(Continued from page 1)

and availability as the Theatorium Theatre, Lykens, Pa., contending that he has been in business for four years and throughout that time has maintained the same price scale while other houses in the territory have reduced their admissions.

Milwaukee, April 22.—Hearing of the clearance complaint of the Rex Theatre, Evansville, Wis., against Paramount was adjourned tonight until Thursday following an all-day hearing before Professor Thomas P. Whelan, arbitrator. The complaint contends that the Jeffris at Janesville is entitled to no clearance from Paramount over the Rex.

Memphis, April 22.—Jack Harmon, clerk of the local arbitration board, resigned today. Bruce Ely, former sales and promotion manager for the Shell Oil Co., has been named to succeed him. No complaints have been filed at the local board since its opening.

Hearing of the Squire Theatre, Great Neck, clearance complaint against all five consenting companies continued at the New York tribunal yesterday and is scheduled to be resumed again May 1.

Hearing of the River Theatre Corp., Pearl River, N. Y., clearance complaint against all five companies, which had been scheduled for today, was postponed to May 7.

New Orleans, April 22. — The "some run" arbitration complaint of Modern Theatres' Drive-In against Paramount was filed in the belief that the block-of-five provision of the consent decree was in effect already, Philip E. James, arbitrator, stated in a decision handed down here today dismissing the complaint and assessing costs against Charles K. Wollmer, the plaintiff.

James found that the Drive-In had sought to buy a single block of five pictures from Paramount, "believing this justified under the consent decree," and, when the company refused to license that maximum number of pictures, the theatre filed its complaint.

The arbitrator held that the plaintiff's rights have not been jeopardized "insofar as his right to purchase respondent's product is concerned, as respondent has clearly indicated its willingness to so license on reasonable terms, and if the complaint does not consider these terms reasonable he will be granted the relief desired under the consent decree after Aug. 31."

The block-of-five provision of the decree becomes effective Sept. 1.

The Drive-In case was the first complaint filed with the local board here, having been entered on Feb. 15. It was heard on April 1 and attracted attention when James granted the application of both sides for a closed hearing. The Department of Justice subsequently informed the American Arbitration Association that closed hearings were contrary to the intent of the decree and should be discouraged. The A. A. A. then informed every member of the New Orleans arbitration panel that all hearings, in the future, should be open, and that the resignation of any arbitrator disagreeing with this view would be accepted.

The Drive-In also is complainant in the only other cases of record here. One, against Loew's, was settled without a hearing recently, and the other, against Warners, was scheduled for hearing today and then adjourned to May 13. Both are also "some run" complaints.

Circuit Is Indicted For Game Operation

Paducah, Ky., April 22.—The Columbia Amusement Co., operators of theatres here and in Murray, Ky., has been indicted by a Calloway County Grand Jury on charges of unlawful operation of a lottery and gift enterprise in connection with game awards at a Murray, Ky., theatre.

The action followed a recent declaration by Assistant Attorney General Jesse K. Lewis that chance games violate the state Constitution. The case is scheduled for the August term of Calloway Circuit Court.

Twin City Club Milk Benefit Ball May 10

Minneapolis, April 22.—The Twin City Variety Club will hold its annual ball and supper club for the benefit of the Milk Fund May 10 at the Nicollet Hotel.

Proceeds of the function will support other charity activities also. Ben Blotcky, chief barker, named these committee chairmen: publicity, Merle Potter, chairman; Robert E. Murphy, Cedric Adams, co-chairmen; tickets, A. A. Kaplan, Max Torodor, co-chairman; arrangements, Ben Blotcky; decorating, Charles Rubenstein.

Tone in 'I, James Lewis'

Hollywood, April 22. — Franchot Tone has been set for the top role in "I James Lewis," which Frank Lloyd will produce for Universal release.

Seattle Circuit Will Close Hour Earlier

Seattle, April 22.—A new schedule of evening performances that closes the theatres between 11 and 11:15 at night, instead of midnight or later as formerly, has been inauguarated by all Hamrick-Evergreen theatres in this city.

Effective this week the last complete show begins at 8 P. M., with the main feature going on at about 9:15. It is expected that considerable saving in salaries of operators, doormen, ushers and cashiers will result, without affecting business to any noticeable extent. Theatres involved are the Fifth Avenue, Orpheum, Paramount, Coliseum, Blue Mouse and Music Box.

Cut Frisco Prices

San Francisco, April 22.—Downtown first run theatres here have adopted a new "junior admission" scale, with a top of 25 cents at night. Second run theatres also announced a "junior" scale of 15 cents for matinees and 18 cents at night.

Decide Divorce Bill Course This Week

Washington, April 22.—Sen. Harley M. Kilgore of West Virginia indicated today that he may call his subcommittee together this week to decide whether to push the Neely "divorce" bill. He said that while the conference would be exploratory, a decision may be reached whether to schedule the bill for hearings.

Admissions Vary in Wisconsin Houses

Milwaukee, April 22.—Wisconsin theatre admission continue in a state of flux. In some spots, notably Superior, Oshkosh and Kenosha, new reduced Spring and Summer prices have been announced, while locally, Fox has raised the price three and four cents in the first two brackets at its Wisconsin, Palace and Strand, first run houses. Also in Janesville, the circuit has increased evening admissions at the Myers five cents in the balcony and 10 cents in the orchestra.

In Superior, lowered prices have been announced at the Palace and People; in Oshkosh, the Strand has announced new Spring and Summer prices, while in Kenosha, the Gateway has dropped its prices in the 2 to 6 P.M. and after 6 P.M. brackets 10 cents to 30 and 40 cents, including tax.

Fox's Strand, Palace and Wisconsin here have been charging 27 cents, plus three cents tax to 1 P.M.; 36 cents plus four cents tax to 6 P.M., and 50 cents plus five cents tax after 6 P.M. Now the houses are charging 30 cents plus three cents tax in the first bracket and 40 cents plus four cents tax in the second with the third remaining as before. The Warner still continues its 30-40-55-cents prices, including tax.

Hartford Managers Aid Air Corps Drive

Hartford, Conn., April 22.—Several local theatre managers have been appointed to the state-wide committee named to interest young men in the Flying Cadet training schools.

On the committee are James F. McCarthy, Strand; Walter B. Lloyd, Allyn; Lou Cohen, recently appointed manager of Loew's Poli, and George E. Landers, of E. M. Loew's.

Bookers Meet Tonight

Committees in charge of the Motion Picture Bookers Club's forthcoming dinner and dance will discuss arrangements at a meeting at the Edison Hotel tonght. The affair will be held May 17 at the Hotel Astor Roof.

Honor Circuit Bowlers

Scranton, Pa., April 22.—Bowlers representing the Capitol Theatre, winner of the all-season honors of the Scranton Division of the Comerford Theatres Bowling League, were honored at an annual bowling dinner here.

Senator to Convention

Atlantic City, April 22.—Senator Clyde L. Herring of Iowa has accepted an invitation to attend the national Variety Club convention here May 15-17.

'Zanzibar' at $21,000 Beats Heat in Phila.

Philadelphia, April 22.—Excessive heat, with a general exodus from the city for the Easter weekend, held business down. The best business was [illegible]stered at the Fox with "Road to [illegible]zibar," taking $21,000, while "The Great Dictator" continued big at the Stanton with $7,500 for its sixth week.

Estimated receipts for the week ending April 16-18:

"Fantasia" (Disney)
ALDINE—(1,400) (50c-75c-86c-$1.14-$1.71) 7 days, 9th week. Gross: $7,000. (Average, $9,000)
"Andy Hardy's Private Secretary" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,900. (Average, $2,600)
"Men of Boys Town" (M-G-M)
BOYD—(2,400). (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $9,500. (Average, $13,000)
"Las Vegas Nights" (Para.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Will Bradley's orchestra, Hal LeRoy, Ray McKinley, Freddie Slack, Lynn Gardner, Terry Allen, The Bradley Boogie Woogie Trio, and Lynn-Royce & Vanya. Gross: $18,900. (Average, $14,000)
"Repent at Leisure" (RKO)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Sunya Slane, Joan Lee, Al Stone & Tish Lee, The Delmar Sisters, Carlton Emmy & his Mad Wags, and Mark Dawson. Gross: $6,000. (Average, $6,900)
"Road to Zanzibar" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $21,000. (Average, $13,000)
"The Sea Wolf" (W. B.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,000. (Average, $3,000)
"Nice Girl?" (Univ.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,300. (Average, $4,500)
"That Night in Rio" (20th-Fox)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $16.500. (Average, $14,000)
"The Great Dictator" (U. A.)
STANTON—(1,700) (35c-41c-46c-57c-68c) 7 days, 6th week. Gross: $7,500. (Average, $4,500)

Indianapolis Keith Plans Play Season

Indianapolis, April 22. — James Daggett, of this city, and Martin Burton, of New York, are assembling a group of actors and actresses now completing the Winter season in New York for a Spring and Summer season of stock in the B. F. Keith Theatre here. First production is planned for early in May. Keith's has been dark since the closing of the WPA Federal theatre project.

Start Bowling League

Formation of a motion picture bowling league is under way with eight teams participating. Representatives will meet next week to elect officers. United Artists, Paramount, Columbia, Republic, Universal, Consolidated Film Industries, De Luxe Laboratory and Paramount News teams are participating.

Fire Destroys House

Meequite, Tex., April 22.—The Colonial Theatre here, operated by Bernard Galtzki, was destroyed by fire the other day.

Goldwyn Starts 'Cavalry'

Hollywood, April 22. — Samuel Goldwyn has started preparations on "Seventh Cavalry," starring Gary Cooper.

Report Arnold Will Seek Minn. Anti-Five Bill Veto

(*Continued from page* 1)

cision on whether to have a public hearing on the measure until it reaches his desk, today or tomorrow.

Attorneys see a fundamental question of states rights versus the Government involved in the situation.

Reports from Washington are that the Department of Justice will not stand idly by and see the decree sabotaged. The constitutionality of laws such as the one in Minnesota will be challenged in the courts, if attempts are made to enforce them, it was said.

To offset the measure and to prevent disruption of the regulatory machinery set up under the consent decree in Minnesota, and otherwise to prevent possible similar legislative action in other states, observers see four methods which the Government or the five consenting companies may employ.

1. Representations can be made by the Government and the five consenting companies to Governor Stassen, advocating his veto of the measure. If this fails:

2. The interested parties can appeal to Federal Judge Henry W. Goddard in New York, who signed the decree, to amend that agreement so as to except it from applying in Minnesota.

3. To bring a bill in equity in the Federal Court, before a three-judge bench, attacking the constitutionality of the measure, because it interferes with a Federal consent decree regulating interstate commerce.

4. To resist the measure by committing an act which will be considered a violation of the bill and thus have the question of the measure's validity decided in the state courts.

There has been no decision in regard to any of these steps.

Counsel for the distribution companies pointed out that if the Federal court here grants them an exemption from the consent decree's selling provisions for Minnesota, they will be unable to make any "split" product deals with Minnesota exhibitors. All of the five consenting companies have made numerous such deals with Minnesota exhibitors in the past. Under the new state law, however, the Minnesota exhibitor will have to take a distributor's entire block, or nothing; since the law requires the distributor to sell his entire season's output at one time, with a 20 per cent cancellation privilege, company attorneys said.

They declared that many Minnesota exhibitors will not be able to use the full season's schedule of all of the companies, yet those companies will be prohibited by the state law from making "split" deals with such exhibitors.

Most distribution officials believe that the major accomplishment of the new law will be confusion for both themselves and exhibitors in the state.

However, of the five consenting companies affected by the law, Paramount, which did not oppose the measure at the public hearings, probably will be the best prepared to meet the new situation created by the law. That company has an affiliate, Minnesota Amusement Co., which it is permitted by the consent decree to sell in the manner prescribed by the new state law.

The other four companies, unless they have franchises in force with Minnesota theatres, will be confronted with a much more complicated situation. Existing franchises are exempt, also, from the selling provisions of the consent decree, but it is held highly unlikely that any appreciable number of franchises are in force in Minnesota. Thus a special sales procedure will have to be adopted by the consenting companies for Minnesota accounts if the Federal court here exempts that state from the decree's sales provisions.

Adding to the confusion of that special procedure is the fact that the Minneapolis exchanges of the consenting companies serve North and South Dakota and Northwestern Wisconsin, as well as Minnesota and, thus, would be obliged to sell in those three states under the decree's method, while selling to Minnesota accounts under the state method.

Estimate Para. Net In First Quarter Over $2,600,000

(*Continued from page* 1)

with earnings for the first quarter of 1940 of $1,606,000, on the same basis.

Paramount's financial report for the quarter is expected to be issued in about two weeks. If it bears out the advance estimates, the results for the quarter will be the best achieved by Paramount, under the direction of Barney Balaban, president, for any three months period since the company emerged from reorganization in 1935.

Indianapolis Gives 'Boys' Good $10,200

Indianapolis, April 22.—"Men of Boys Town," on a dual at Loew's took $10,200 in a week of good business. Sammy Kaye's orchestra on the stage and "A Shot in the Dark" on the screen brought $10,000 to the Lyric. The weather was unusually warm.

Estimated receipts for the week ending April 18:

"That Night in Rio" (20th-Fox)
"Scotland Yard" (20th-Fox)
CIRCLE—(2.800) (28c-33c-44c) 7 days, 2nd week. Gross: $6,000. (Average, $6,000)
"Road to Zanzibar" (Para.)
INDIANA—(3,200) (28c-33c-44c) 7 days, 2nd week. Gross: $7,000. (Average, $6,000)
"Men of Boys Town" (M-G-M)
"The Lone Wolf Takes a Chance" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $10,200. (Average, $7,000)
"A Shot in the Dark" (W. B.)
LYRIC—(2,000) (30c-40c-50c) 7 days. Stage: Sammy Kaye orchestra. Gross: $10,000. (Average, $8,000)

U. S. to Seek 10-Cent Base On Admissions

(*Continued from page* 1)

Treasury with respect to admissions, and so far as could be learned will be the only action taken.

There is a possibility, however, that the world war rental tax of 15 cents a reel may be revived if the schedules now proposed by the Treasury are scaled down by the House Ways and Means Committee.

The Treasury originally had contemplated increasing the present tax rate 50 per cent on the basis of the present 20-cent exemption, and earlier in the discussions a 100 per cent increase in the tax rate was mentioned by some experts, but apparently the Treasury officials believed that a lower exemption with the present rate would bring more returns.

The House Ways and Means Committee will open its hearings with Secretary Morgenthau as the first witness.

Report Stern Shift To Chicago for U. A.

(*Continued from page* 1)

addition of Denver to the Chicago district is a new move. Heretofore, Denver has been a part of the Far West district of which Ben Fish, with headquarters at Los Angeles, is manager.

Charles Stern, according to *International Motion Picture Almanac,* started in the industry in Boston. He was manager of the Hub Film Co. in that city for five years until 1905, when he joined Universal as Boston branch manager. He was associated with Sam Kurson in a circuit in Bangor, Me., and later became manager of New Haven and Boston branches for United Artists.

He was promoted in 1934 to the post of assistant Eastern division manager and in 1935 was appointed Southeastern division manager. In 1935 he became Eastern district manager.

Plan New Exhibitor Association in Iowa

(*Continued from page* 1)

theatre owners at their last meeting and urged the establishment of an organization with circuit and affiliated theatres as well as independents, and a paid secretary. Opponents of the plan believe the independent exhibitors would lose their identity and the force of their numbers if they joined the combined group.

Hart Leaves Law Firm

Vincent G. Hart has withdrawn from the law firm of Friend, Holbrook, Reiskind and Hart. He is devoting his time as assistant to the state chairman of the Republican State Committee.

Reiners Here on 'Kane'

Harry Reiners, RKO field exploitation representative, has been called to the home office from Boston to work on the engagement of "Citizen Kane" at the Palace here.

Radio Group Is Organized By Publishers

Newspaper publishers interested in radio yesterday formed a permanent committee to protect their interests. Harold Hough, publisher of the *Fort Worth Star Telegram* and operator of WBAP and KGKO, Fort Worth, is chairman.

An executive secretary to handle details will be sought and separate offices will be set up, although the organization will use the American Newspaper Publishers Association's offices as a mailing address.

A thorough discussion of radio affiliations was conducted at the Waldorf-Astoria during the afternoon session of the first day of the ANPA convention here.

JS Gray, publisher of the Monroe, Mich., *Evening News*, and chairman of the ANPA radio committee, who frequently has stressed radio's encroachments on newspaper revenues, declared yesterday that a newspaper could operate a radio station without losing much of its newspaper advertising. He cited FCC figures to show that the smaller the market, the more radio derives its income from local advertisers.

The meeting of smaller papers yesterday considered a frequency discount for newspapers for use by an advertiser of space for 13 weeks, similar to the frequency discount given by radio stations.

Inaugurate CBC Change in Policy

TORONTO, April 22.—Following the reorganization of the Board of Governors of the Canadian Broadcasting Corp., with an accompanying reduction in the authority of Gladstone Murray, general manager, a number of changes in general policy have been brought about.

The ban on independent newscasting, which caused the disappearance from the air of a number of newspaper commentators, has been eased. This ban also prohibited the commercial sponsorship of any news feature and there had been an elimination of news sources other than the newly established news monopoly of the CBC.

An immediate result has been the return to the air of Walter Bowles, newscaster of the Toronto *Daily Star*, for daily broadcasts on CBL under the direct auspices of the paper. The *Star* also will have a morning newscast over the same station each day by Beau Summers. The CBC stations have been placed at the disposal of Ontario Government representatives for paid time. Employes of CBC have applied to the Department of Labor for a conciliation board to investigate differences between the workers and the CBC.

Ask D.S.T. in Scranton

SCRANTON, Pa., April 22.—A request has been made by the Scranton School Board that the City Council adopt a daylight saving time schedule in conformity with other metropolitan areas.

Off the Antenna

A SERIES of 22 dramatic programs will be broadcast over NBC-Red Thursdays 10:30-11 P.M. beginning May 22 in a salute to the 20 South and Central American countries. The first and last programs will summarize the good-neighbor policy while each of the others will be devoted to one country. The network's international division, under John F. Royal, vice-president, had been sending programs about the United States to Latin America, but a program for this country about the Southern neighbors was also needed. Charles Schenck will direct the series.

• • •

Purely Personal: *Edna Ferber and George S. Kaufman, with Raymond Gram Swing, will be heard in a special broadcast Sunday at noon over Mutual to raise funds for the Joint Distribution Committee. . . . Prescott Robinson, formerly with CFCF, Montreal, has joined the WOR newscaster staff. . . . Bill Stern, NBC director of sports, has been signed by Columbia Pictures to do the commentary on the "World of Sports" series, 12 reels of which will be released next season, it was stated. . . . Madeleine Carroll returned to Hollywood from Toronto yesterday after an appearance on the "Voice of Canada" program. . . . Johnny Cook and Lew Black, a new comedy team, will make their debut tomorrow over CBS during Ed East's "Colgate Talent Tournament."*

• • •

Dr. Henry Lee Smith's WOR-Mutual series, "Where Are You From?" will be the first major program to drop from the airwaves because of the draft. Dr. Smith, a lieutenant in the Field Artillery Reserves, has been called to active service and, since his program is a one-man show, it will be discontinued. The last broadcast will take place tonight at 8.

• • •

Around the Country: Jack Tiffany, WKRC, Cincinnati, chief engineer, has received 550 KC as his license plate number, the same as the frequency channel for the station. . . . Harold Kaye, program director for WITH, Baltimore, has resigned. . . . Louis Azrael, *Baltimore News-Post* sports columnist, has started a series of sportscasts for WFBR, Baltimore. . . . Gene Plumstead, WSGN, Birmingham, announcer, and Maury Farrell, WAPI, Birmingham, announcer, have joined the Army. . . . An effort is being made to obtain a license for a fourth station in Birmingham, Ala. . . . Eileen Reinhardt, formerly with the *Topeka State Journal*, has joined the KMBC, Kansas City, Mo., publicity staff. . . . Philadelphia city commissioners will seek an additional 22 hours weekly for the municipally-owned WCAM. The latter station shares time with WTNJ, Trenton, N. J. . . . Guy Runnion has joined KMOX, St. Louis, as announcer and Bonnie King has been added to the singing staff.

Theatre Changes

Reopen Drive-In Theatre

CINCINNATI, April 22.—The Drive-In at suburban Montgomery, closed for the Winter, has reopened, playing two shows nightly, with two changes weekly, at 40 cents, and no charge for children.

Name New Hanson House

TORONTO, April 22.—The new theatre to be opened shortly by Hanson Theatres Corp., Ltd., at Hamilton, Ont., will be named the Avalon. George Aitken, assistant manager of the Granada Theatre, Hamilton, will be in charge of the new house.

Remodel Iowa Theatre

MALVERN, Ia., April 22. — F. E. Pace, owner of the Empress Theatre, has reopened it following extensive remodeling that included new seats, projection and sound equipment.

Reopen House in Harlan, Ia.

HARLAN, Ia., April 22.—Ray Brown has reopened the Cozy Theatre and will continue to have it open on Saturday and Sunday nights. The theatre had been closed for several months.

Altec Adds Inspector

Altec Service has added George P. Seagle to the service inspection staff at Norfolk, Va.

Reseat Harris Theatre

PITTSBURGH, April 22.—The Harris Warren Theatre has installed 800 new seats and a new screen.

Walsh Takes Yorktown House

George Walsh has taken over the Yorktown, 1,000-seat theatre at 2409 Broadway, Manhattan, which was operated by the RKO circuit.

Buys Onega, Kan., House

ONEGA, Kan., April 22. — The Onega here, has been purchased by Ray Winch. It was formerly owned by R. W. Graff.

Purchases Iowa Theatre

MONROE, Ia., April 22. — Duane Burk has bought the Monroe Theatre here from George Tidrick.

Manages Rochester House

ROCHESTER, April 22. — George Deber has been named manager of Schine's State here.

Leases Missouri House

KANSAS CITY, April 22.—James Russel, manager of the Strand, Lancaster, Kan., has leased the Vogue at Queen City, Mo.

To Re-seat Pa. House

SWOYERVILLE, Pa., April 22.—New seats will be installed in the Roosevelt Theatre by Owner Frank Pepe, Jr.

Remodel at Nuremberg, Pa.

NUREMBERG, Pa., April 22. — Remodeling work is being done at the Rex Theatre in nearby Sheppton, while the Rex Theatre here has been closed until further notice.

Polish Music Leads At Foreign Outlets

Polish music is first among the requests of the 670 BMI stations in the foreign music classification, according to a survey conducted by that organization recently. Among the leaders, Italian is second, Cuban third, Latin American fourth, Scandinavian fifth, and Hungarian sixth. BMI catalogues include the music of 33 nationalities, it was said.

'Free Company' Answers Hearst

James Boyd, novelist and organizer of the "Free Company," which is presenting a series of Sunday broadcasts over CBS, yesterday answered the attacks on the program being published in the *Journal-American*.

Boyd, who is a dollar-a-year man with the Department of Justice, stated that the Department suggested and is "intensely interested" in the program although it cannot participate officially. He asserted that the attack on the Free Company by Hearst papers is in reality an attack on Orson Welles. Boyd stated that Welles, in introducing his play, "His Honor, the Mayor," during the Free Company broadcasts, mentioned that the players had been recruited from the cast of "Citizen Kane."

One amusing sidelight to the dispute was provided by Boyd when he pointed out that WISN, Milwaukee, a CBS affiliate which is Hearst-owned, carried the Welles' broadcast without protesting. Boyd stated that the series is devoted to building Americanism through plays on the Bill of Rights and that all writers and featured performers contribute their services without pay.

The *Journal-American* yesterday devoted a full page to the campaign against the Company and CBS for carrying "radical radio broadcasts." A two-column box headed, "Shall Radio Become Voice of Subversion?" asked readers to protest to the Government.

Power Increase Granted to WNOX

WASHINGTON, April 22.—The Federal Communications Commission has authorized Station WNOX, Knoxville, Tenn., to increase its power from 1,000 watts night, 5,000 watts day, to 10,000 watts.

Applications filed with the commision included the request of Station WMFD, Wilmington, N. C., for increase of night power from 100 to 250 watts.

The commision has scheduled a hearing on May 26 on the applications of the Trent Broadcast Corp. for a new 1,230-kilocycle, 1,000-watt station at Trenton, N. J.; Station WTNJ, for change of frequency to 1,230 kilocycles and increase of power to 1,000 watts, unlimited time, and Station WDAS, Philadelphia, for change of frequency to 1,260 kilocycles and increase of power to 1,000 watts night, 5,000 watts day, to be heard jointly with the applications for renewal of license of Stations WCAM, Camden, N. J.; WCAP, Asbury Park, N. J., and WTNJ.

DO NOT [illegible]

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

49. NO. 80 NEW YORK, U. S. A., THURSDAY, APRIL 24, 1941 TEN CENTS

Schine Trial Not Possible Before Sept.

Court So Advises Counsel At Buffalo Hearing

BUFFALO, April 23.—Trial of the Government's anti-trust suit against the Schine Circuit and the "Little Three" in U. S. District court here will be impossible before next September, Federal Judge John Knight told defense counsel at a hearing today on their motion to require the Government to file an amended complaint in the action.

Judge Knight granted the defense motion for the amended complaint when no objections were made by Assistant U. S. Attorney General Seymour Simon.

Indicating that the court would not require the defendants to go to trial here in the event they are engaged simultaneously in the trial of the Government anti-trust suit in Federal

(*Continued on page* 10)

ITOA Bans Films From Axis Nations

Pictures coming from Germany, Italy or Russia will not be shown in New York ITOA member theatres until such time as they no longer used for propaganda, according to a resolution unanimously adopted at a meeting of the organization yesterday at the Hotel Astor. Harry Brandt is president of the ITOA.

At the same time the resolution petitioned the Government to take steps to bar Axis films from this country. No ITOA members at pres-

(*Continued on page* 10)

B&K Building New Television Antenna

CHICAGO, April 23. — Construction of a new antenna mast, which, when completed in a few weeks, will rise 400 feet above street level, is under way here for the Balaban & Katz television station, W9XBK, atop the State-Lake Theatre Building.

The station at present is using a low-power, small antenna system for experimental transmissions being conducted by Lieutenant William C. Eddy, B. & K.'s television head. Daily programs are broadcast from the studio for experimental reception.

'Divorce' Bill Dies In Neb. Legislature

Lincoln, Neb., April 23.—The Nebraska legislative Committee on Banking, Commerce and Insurance today killed the "divorcement" bill prohibiting the ownership of theatres in the state by producers-distributors.

The measure was introduced by E. M. Neubauer of Orleans, former exhibitor. Killing of the measure was part of the general weeding out by the committee, and ended the legislature's work for the session.

Arnold Has No Plan To See Gov. Stassen

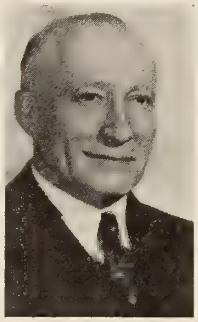
Thurman Arnold, assistant U. S. Attorney General, in New York yesterday, for a speaking engagement, denied having any plan to speak to Gov. Harold E. Stassen, of Minnesota in regard to the anti-block-of-five bill which awaits the Governor's signature or veto. Arnold pointed out that any statement he might make now might antagonize Gov. Stassen, and that it was contrary to the policy of the Department of Justice to intervene in matters of state legislation.

That Arnold may take the matter up with Gov. Stassen, since he leaves today on a trip through the Midwest

(*Continued on page* 10)

Amusement Group Gave $600,000 For Greek Relief

More than $600,000 has been collected by the amusement industry division of the Greek War Relief Association and substantial sums are still to be received, Adolph Zukor, chairman of the division, reported yesterday.



Adolph Zukor

The amusement industry's quota was exceeded, Zukor said, and $500,000 has already been transmitted by it to Athens for the purchase of food, clothing and medical supplies for women and children of Greece.

The advisory committee of the division includes Will H. Hays, Martin

(*Continued on page* 10)

Drama Guild Offers To Reopen Contract

Elmer Rice, president of the Dramatists Guild, yesterday offered to reopen negotiations with the League of New York Theatres on the five-year basic pact which went into effect March 1. The offer was made in re-

(*Continued on page* 10)

Late News Flashes from the Coast

Hollywood, April 23

THE excess profits tax was cited today as the reason for the dissolution of Frank Capra Productions. The Frank Capra-Robert Riskin unit, which made "Meet John Doe" for Warners, will cease functioning as an independent company. Warners tonight announced that it is negotiating with Capra-Riskin for the unit production of two more films on the same basis as that of "Doe."

• •

James Roosevelt's plan for a $350,000 loan from the Bank of America was disclosed today with the filing of papers with the County Clerk. Now en route abroad on a secret war mission, Roosevelt has wound up his film production, at lease for the present, and the loan is to consolidate all indebtedness accruing from the production of "Pot o' Gold." It was revealed that the production was underwritten by Paulette Goddard and Horace Heidt, who appear in the film, and that Roosevelt gave his personal note for $50,000. Other mortgages against it were $32,842 to Loew's, Inc., $15,158 to RCA Manufacturing Co., $60,960 to Consolidated Film Laboratories and $24,647 to RKO.

• •

Whitney Bolton of the RKO publicity department today was appointed publicity head for David O. Selznick. Victor Shapiro, who held the post, will handle the newly-created position of head of pre-production exploitation.

• •

Laurel and Hardy were signed today by 20th Century-Fox for "Forward March," a war comedy. This will be their first film appearance in 18 months.

• •

John P. Miles, formerly publicity director for James Roosevelt's Globe Productions, has joined Warners' publicity department.

Early Buying Rush Fails to Materialize

No Advantage Is Seen in Advance Offering

With only moderately active new season film selling reported by distributors, the belief which was entertained by many in the trade several months ago that exhibitors would be anxious to buy early in order to meet the "uncertainties" of the new decree selling method, with a product backlog on hand, appears to have crumbled, experts assert.

Film buying activity to date, they aver, offers no substantiation for the earlier belief and would seem to indicate that no selling advantage is to be gained this season by an early sales convention and advance offerings of next season's product.

With May approaching, the industry is reaching the period during which most of its annual sales conventions customarily are held, yet there is no evidence of unusual exhibitor interest in new season's contracts now available and, certainly, no exhibitor demand of any proportion

(*Continued on page* 10)

UA Realigns Sales Staffs in 7 Districts

Realignment of United Artists sales organization, affecting seven districts and six district managers, was completed by the company yesterday.

Under the realignment, Arthur Silverstone becomes manager of Eastern district No. 1, comprising the New York, Washington and Philadelphia branches. Heretofore, he was in charge of the latter two offices only. The New York exchange formerly was in Charles Stern's district, which

(*Continued on page* 10)

In This Issue

Three reviews: "The Flame of New Orleans," Page 10; "The Wagons Roll at Night" and a Hollywood review of "Roar of the Press," Page 3. Key city grosses, Pages 3 and 9. Seven features on reissue list this season, Page 3.

Attend Films, Urges Gov. Bricker of Ohio

Cleveland, April 23. — Gov. John W. Bricker has issued a proclamation in connection with RKO Theatres' "May-time Movie Jubilee" in which he praises the industry for its "important part in stirring American patriotism" and interest in our traditions, and urging Ohians to attend film shows during the week of the celebration, April 24 to May 28. Nat Holt, division manager of RKO Theatres here, will have charge of the jubilee campaign in this territory.

Order Last Dividend On Seattle Orpheum

Federal Judge Murray Hulbert yesterday ordered payment of a first and final dividend of .00305 per cent to general creditors of Seattle Orpheum Co., with claims totalling $2,972,868. At the same time the court ordered the closing of the estate, after awarding a $1,000 legal fee to Donovan, Leisure, Newton & Lumbard, and $245 to the Irving Trust Co. as trustee.

Seattle Orpheum, as former owner of the Orpheum Theatre in Seattle, filed a voluntary petition in November, 1937. Its theatre building and other property was foreclosed by the Bank of California, largest creditor, in the sum of $1,028,955.

Second largest creditor is RKO Orpheum Corp. with a claim of $998,095. After the loss of the theatre building, the total assets collected for the company were a balance of $10,447, the report indicated.

Film Library Here Publishes 'Index'

The Museum of Modern Art Film Library and H. W. Wilson Co. jointly have published a 780-page bibliography of the motion picture, the first volume of "The Film Index," titled "The Film as Art."

Sponsored by Mayor LaGuardia of New York, the "Index" has been compiled under the supervision of Harold Leonard as editor, by a staff of WPA writers. The "Index" is divided into two sections, first, "History and Technique" and second, "Types of Films."

Hodes Will Celebrate 25th Industry Year

Phil Hodes, sales manager of RKO's New York exchange, next Monday will celebrate his 25th anniversary in the industry. He started in the film business with Universal Pictures in 1916, and was with that company for six years. He joined RKO (then FBO) in 1922, and has been with the firm ever since.

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SERVICE CORPORATION
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Personal Mention

MYRON SELZNICK is in town from the Coast.

•

CHARLES PATHE, French film industry pioneer, is scheduled to arrive from Lisbon on the *Dixie Clipper* today.

•

NAT HOLT, RKO circuit division head at Cleveland, leaves New York today for his headquarters.

•

JAMES SCHWALM of the Northio Rialto, Hamilton, O., is recuperating at Dillsboro, Ind., from a throat infection.

•

ARTHUR H. GOLDSTEIN, former manager of the Avon Theatre, Providence, has reported for active duty at Fort Devens, with the rank of captain.

•

MONROE GREENTHAL, AL MARGOLIES, SAM TULPAN, HARRY COSMAN, IRVIN SHAPIRO and ARCHE MAYER lunching yesterday at Lindy's (next to the Rivoli).

•

FRED MCCONNELL, BUDD ROGERS, SAM CITRON, BEN JENNINGS, DOUGLAS ROTHACKER, SAM SPRING, ARTHUR LEE, HARRY THOMAS, SAM GOLDSTEIN, ALAN FREEDMAN and WILLIAM FITELSON having lunch at the Tavern yesterday.

THOMAS GORMAN, RKO Theatres division manager in Chicago, returns there today from New York.

•

GEORGE W. TRENDLE is in town from Detroit.

•

EMANUEL PEARLSTEIN, advertising manager for Warner Theatres in the Cleveland zone, is visiting here this week with MRS. PEARLSTEIN.

•

CHARLES M. REAGAN, MAURICE BERGMAN, TOM CONNORS, OWEN DAVIS, MAX A. COHEN, SIDNEY PHILLIPS and E. K. O'SHEA at Nick's Hunting Room in the Astor yesterday for lunch.

•

BEN PIAZZA, ED MCGREGOR, FRED MEYERS, JOHN GOLDEN, LEE SHUBERT, ARTHUR LOEW, NAT HOLT, WILLIAM HOWARD, MARGALO GILLMORE, EDWARD MANNIX and DON MERSEREAU having lunch yesterday at Sardi's.

•

HAL HORNE, MARTIN MOSKOWITZ, JOSEPH MOSKOWITZ, CHARLES STERN and HASKELL MASTERS at Lindy's (51st St.) for lunch yesterday.

•

MARY FAPIANO, biller at the M-G-M New Haven exchange, is engaged to WILLIAM WORSTELL, Loew-Poli New Haven commercial artist.

Universal Opening Own Trinidad Office

DOVER, DEL., April 23.—Universal Pictures of Trinidad, Inc., has been formed here to engage in the business of motion picture films. The company listed a capital of 100 shares, no par with L. H. Herman, R. F. Lewis, and Walter Lenz of Wilmington as incorporators.

It was explained at the Universal home office yesterday that the incorporation of Universal Pictures of Trinidad, Inc., is in line with the establishment by Universal of its own branch in Trinidad. Keith Goldsmith has been named manager of the territory, where Universal product formerly had been handled through independent distributors.

To Honor Kranze At Albany Dinner

ALBANY, April 23.—Bernard G. Kranze, recently shifted to Cleveland as RKO branch manager, will be tendered a testimonial dinner at the New Kenmore Hotel Monday evening. Si Fabian will be toastmaster. Louis R. Golding, Fabian division manager, is chairman of arrangements. On the committee are: N. M. Grassgreen, Nate Sodikman, Jerry Spandau, Clayton Eastman, Herman Ripps, Joseph Miller and Arthur Newman.

Selwyn Due Here to Produce Metro Play

HOLLYWOOD, April 23.—Edgar Selwyn, M-G-M producer, and Robert Sinclair, director, left by plane for New York today to arrange for a theatre for the production of Frederick Hazlett Brennan's play. "We Fought at Arques," which M-G-M is backing on the stage.

Ampa Will Elect New Officer Slate Today

The annual election meeting of the Ampa will be held today in the College Room of the Hotel Edison, following luncheon at 12:45. Officers will be elected for 1941-'42.

The new slate of officers, to which no opposition has been made, includes; Vincent Trotta, president; Edward Schreiber, vice-president, and Elias Sugarman, treasurer. Martin Starr, nominated for secretary has withdrawn, and a substitute will be nominated today. Leon Bamberger, retiring president, will preside.

Prizes Awarded to Paramount Bowlers

Prizes were awarded yesterday to the winners in both the men's and women's divisions of the Paramount Pep Club Bowling Tournament. Presentations were made by Arthur Isreal, Jr., president of the Pep Club, in the home office club quarters before more than 300 members. Leonard H. Goldenson donated a trophy for the winners in the women's division while Neil F. Agnew presented a trophy for the winning men's team. J. J. Doughney, athletic chairman of the club, conducted the tournament.

20th-Fox and Para. Purchase Stories

HOLLYWOOD, April 23.—Two story purchases were disclosed today. "New York Nocturne" by Matt Taylor has been bought by 20th Century-Fox, and Walter Morosco will be associate producer on the film.

Paramount has purchased the rights to "Mr. and Mrs. Cugat," novel by Isabel S. Rorick.

Army Pushes Film Service for Camps

WASHINGTON, April 23.—Motion picture service will be available at all new Army posts and camps as rapidly as they are brought into operation and facilities can be installed, it is indicated at the War Department.

Col. Frederick L. Herron, in charge of the Army Motion Picture Service, is preparing now to service the theatres placed under construction [illegible] 29 camps throughout the country, most of which will be completed by July.

With the beginning of the new fiscal year on July 1, the Motion Picture Service will have the necesasry increased funds with which to operate its greatly expanded circuit. Programs consisting of feature, news and short films will be provided at every post and cantonment for the 1,400,000 officers and enlisted men in training.

Attendance Slow at Del. Sunday Shows

WILMINGTON, DEL., April 23.—Only fair attendance was recorded at the first Sunday motion pictures in the history of Delaware under the new liberal Sunday statutes repealing the 200-year-old blue laws. Audiences ranging from "poor" to "just fair" and "good" were reported with only one theatre putting out the S.R.O. sign during an afternoon performance.

Managers were in accord that Sunday films will take about six months to catch the fancy of the patrons. Afternoon performances were attended mainly by children and evening shows almost entirely by adults, the manager of one of the Warner circuit of six houses reported.

Consolidated and Republic to Move

Republic's home office, Consolidated Film Industries and Consolidated Molded Products, a CFI subsidiary, will move into larger quarters in the old U. S. Rubber Building, 1790 Broadway, in a week or 10 days. The move is expected to be completed within a month. The companies' present quarters are at 1776 Broadway.

Liebler, Producer, Dies

GREENWICH, Conn., April 23.—Theodore A. Liebler, veteran theatrical producer, who retired in 1912, died at his home here today.

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DAILY
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'Rio' with $19,000 Is Detroit Leader

DETROIT, April 23.—"That Night in Rio" and "Missing Ten Days," grossed $19,000 at the Fox, while the Michigan reported $18,000 with "Road to Zanzibar" and "The Trial of Mary Dugan."

Estimated receipts for the week ending April 17:

"[illegible]k Privates" (Univ.)
"[illegible] Lone Wolf Takes A Chance" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross $5,500. ((Average $5,500.)
"Chad Hanna" (20th-Fox)
"Son of Monte Cristo" (U. A.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross $6,500. (Average $7,000.)
"That Night in Rio" (20th-Fox)
"Missing Ten Days" (Col.)
FOX—(5,000) (20c-44c-65c) 7 days. Gross: $19,000. (Average $15,000.)
"Road to Zanzibar" (Para.)
"The Trial of Mary Dugan" (M-G-M)
MICHIGAN — (4,000) (15c-39c-44c-55c-65c) 7 days. Gross $18,000. (Average $12,-000.)
"The Lady Eve" (Para.)
"The Great Dictator" (U. A.)
PALMS—(3,000) (25c-39c-44c-55c) 7 days, 3rd week. Gross $8,000. (Average $7,000.)
"Andy Hardy's Private Secretary" (M-G-M)
"The Wild Man of Borneo" (M-G-M)
UNITED ARTISTS — (2,000) (20c-39c-44c-55c) 7 days, 2nd week. Gross $9,000. (Average $10,000.)
"Fantasia" (Disney)
WILSON — (1,400) (50c-75c-$1.10-$1.65) 7 days, 8th week. Gross $7,300. (Average $10,000.)

Group Meets Again On British Exemption

LONDON, April 23.—The Ministry of Labor's committee on reserved occupations met again today for a further hearing on the plea of the British film industry that technicians and projectionists be exempted from military duty.

The labor requirements of the industry were considered by the committee today, and it received data on the number of technicians employed and unemployed in the industry. The committee will meet again in two weeks.

Meanwhile, officials of the Board of Trade may meet with exhibitors' and distributors' representatives for a discussion of the recent replies of the trade groups to the Government's suggestions for revision of trade practices.

Stanley Fields Dies

HOLLYWOOD, April 23. — Stanley Fields, 57, a film actor 11 years, died here today of a heart attack. He came to the screen from his vaudeville act with Frank Fay and his first screen role was that of a gangster in "Little Caesar." He played the "heavy" in many films. His real name was Walter L. Agnew.

Armando Sketches For Fleischer Ads

Armando, noted artist, has completed an assignment by Paramount for 80 color sketches to be used in magazine advertising on the new Fleischer feature cartoon tentatively titled, "Mr. Bug Goes to Town." The sketches portray in sequence the conception and execution of the story of the film.

Feature Reviews

"The Wagons Roll at Night"

(Warners)

A YARN of circus life, with a four-cornered romantic plot and moments crowded with thrills in the lion cages, "The Wagons Roll at Night" is not large-scale stuff, but offers plenty of dramatic action punch for the host of film fans who like excitement on the screen.

As the tough boss of the tank-town carnival which graduates into the big time, Humphrey Bogart turns in another of his excellent performances. He is supported capably by Sylvia Sidney, the fortune teller of the carnival, with whom Bogart is in love; Eddie Albert, as the young grocery clerk made into the circus' star lion tamer, and Joan Leslie, as the convent-bred sister of Bogart, living on a farm and hidden from the circus life, whom Albert accidentally meets and with whom he falls in love.

The affair is complicated by the fact that Miss Sidney is herself in love with Albert, while he considers her more in the light of a big sister and good friend. But Bogart misunderstands the boy's honest interest in his sister, and his relations with Miss Sidney, and plots the trainer's death in the cage with a lion which has turned into a killer. In a thrilling climax, Bogart realizes the consequences of his act, leaps into the cage, and saves Albert, while he himself is killed. Ray Enright directed skillfully.

Running time, 84 minutes. "G."* CHARLES S. AARONSON

"Roar of the Press"

(Monogram)

Hollywood, April 23

STARTING out as a comedy-drama based on the professional preoccupation with news coverage which keeps reporters away from home of nights, in this instance on a bridal night, this story moves forward to a situation in which pressmen, police and gangsters join forces to apprehend a band of saboteurs who have committed two murders in the course of their activities against national defense. This angle gives the attraction timeliness.

A Scott R. Dunlap production, directed by Phil Rosen, the film offers Jean Parker, as the bride, and Wallace Ford, as the reporter-husband whose work keeps him away from home, with Jed Prouty as the city editor whose devotion to the news needs of his sheet outweigh his interest in his reporter's connubial responsibilities. Others in the cast are Suzanne Kaaren, Harland Tucker, Evalyn Knapp, Robert Frazer, Dorothy Lee, John Holland, Maxine Leslie, Paul Fix, Betty Compson, Matty Fain, Eddie Foster, Charles King, Frank O'Connor, Dennis Moore and Robert Pittard.

Running time, 72 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

'Boys Town' Takes $12,000, Cleveland

CLEVELAND, April 23. — "Men of Boys Town" garnered $12,000 at the State. The annual Metropolitan Opera season, playing to big crowds in Cleveland Public Hall, was keen competition.

Estimated receipts for the week ending April 17:

"Lady from Cheyenne" (Univ.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $2,000. (Average, $4,000)
"The Devil and Miss Jones" (RKO)
WARNERS' HIPPODROME—(3,800) (33c-39c-47c) 7 days. Gross: $8,000. (Average, $11,000).
"A Girl, A Guy, and A Gob" (RKO)
RKO PALACE — (3,100) (33c-47c-55c) 7 days. Stage: Allan Jones, Blackstone. Gross: $13,500. (Average, $13,500)
"Men of Boys Town" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $12,000. (Average, $11,000)
"The Bad Man" (M-G-M)
LOEW'S STILLMAN — (1,900) (33c-39c-47c) 7 days. Gross: $5,000. (Average, $4,000)

Plan Pennsylvania House

PLAINS, PA., April 23.—Excavation work for a new 700-seat theatre here has begun. The new structure will cost approximately $40,000, and is expected to be completed by Sept. 1. It will be operated as a unit of the Comerford circuit.

Seven Features On Reissue List For This Season

Major companies this season thus far have announced a total of seven reissues.

Warners yesterday set "Devil Dogs of the Air" for release this season, after reissuing "Here Comes the Navy" last December. United Artists yesterday announced the reissue next month of two David O. Selznick productions, "The Prisoner of Zenda" and "The Adventures of Tom Sawyer."

The only other major company with reissues scheduled is RKO, with "Vivacious Lady," "Bring 'Em Back Alive" and "Bringing Up Baby."

Twentieth Century-Fox tried the combined release recently in several spots of "Jesse James" and "The Return of Frank James," shown as one film, but no general release has been set. Monogram is reissuing "The Hoosier Schoolboy."

McLeod Due Here

Norman McLeod is en route here from the Coast.

'Hardy' Pulls Fine $36,500 Boston Gross

BOSTON, April 23.—"Andy Hardy's Private Secretary" and "Ellery Queen, Master Detective" took $21,000 at Loew's State and $15,500 at Loew's Orpheum, for a total of $36,500.

Estimated receipts for the week ending April 16:

"Mr. Dynamite" (Univ.)
KEITH BOSTON — (3,200) (28c-33c-44c-55c-65c) 7 days. Stage show including Milt Britton and his band, Tommy Rafferty, Tito and Helen Pammer. Gross: $8,900. (Average, $6,000)
"Mr. and Mrs. Smith" (RKO)
"Vivacious Lady" (RKO)
KEITH MEMORIAL — (2,907) (28c-33c-44c-55c) 7 days, 2nd week. Gross: $11,700. (Average, $16,000)
"Road to Zanzibar" (Para.)
"Dead Men Tell" (20th-Fox)
METROPOLITAN — (4,367) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $13,900. (Average, $15,500)
"Adam Had Four Sons" (Colo.)
"Blonde Inspiration" (M-G-M)
PARAMOUNT — (1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $5,200. (Average, $7,500)
"Adam Had Four Sons" (Colo.)
"Blonde Inspiration" (M-G-M)
FENWAY — (1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $3,200. (Average, $4,500)
"The Sea Wolf" (W. G.)
"Here Comes Happiness" (W. B.)
SCOLLAY — (2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $2,700. (Average, $4,000)
"Andy Hardy's Private Secretary" (M-G-M)
"Ellery Queen, Master Detective" (Col.)
LOEW'S STATE — (3,000) (28c-33c-44c-55c) 7 days. Gross: $21,000. (Average, $12,000)
"Andy Hardy's Private Secretary" (M-G-M)
"Ellery Queen, Master Detective" (Col.)
LOEW'S ORPHEUM — (2,900) (28c-33c-44c-55c) 7 days. Gross: $15,500. (Average, $17,500)

"Zanzibar" Scores $15,500 in Newark

NEWARK, April 23. — The second week of "Road to Zanzibar" at the Paramount-Newark drew $15,500. "That Night in Rio," paired with "Scotland Yard," at RKO Proctor's, also took $15,500. Unseasonally warm weather contributed to generally slow business.

Estimated receipts for the week ending April 16-18:

"Nice Girl?" (Univ.)
"Trial of Mary Dugan" (M-G-M)
WARNER'S BRANFORD—(2,840) (15c-28c-33c-44c-55c-65c-75c) 7 days. Gross: $14,-500. (Average, $14,000)
"That Night in Rio" (20th-Fox)
"Scotland Yard" (20th-Fox)
RKO PROCTOR'S—(3,389) (20c-33c-44c-66c-65c-75c) 7 days. Gross: $15,500. (Average, $14,500)
"Rebecca" (U. A.)
"Grand Illusion" (World)
LITTLE (299) (33c-44c-55c) 6 days. Gross: $1,000. (Average, $1,800)
"Andy Hardy's Private Secretary" (M-G-M)
"Road Show" (U.A.)
LOEW'S STATE—(2,589) (28c-55c) 7 days. Gross: $15,200. (Average, $13,500)
"Road to Zanzibar" (Para.)
PARAMOUNT-NEWARK—(2,200) (15c-28c-33c-40c-55c-75c) 7 days, 2nd week. Gross: $15,500. (Average, $13,800)

Eastern Pa. Allied To Survey Shorts

PHILADELPHIA, April 23.—Eastern Pennsylvania Allied is conducting a survey of short subject contracts in the present season, according to Sidney Samuelson, business manager, to determine if any distributor is giving credit on undelivered shorts. It is reported the organization may undertake a similar survey of shorts contracts in the 1939-'40 season.

BIG NEW

FOR MAY 4

The stage is set! The whirlwind pre-release has set it up in every corner of the continent! "The talk" is now at its peak so write it in today!

S

H!

GENERAL RELEASE OF "CAPRA'S FINEST, BAR NONE"!

(N. Y. World-Telegram)

THE FRANK CAPRA
PRODUCTION FOR 1941

GARY COOPER
BARBARA STANWYCK

in

MEET JOHN DOE

with

EDWARD ARNOLD · WALTER BRENNAN

Spring Byington • James Gleason and Gene Lockhart

This Screen Play, as were most of the major successes of Frank Capra, is by

ROBERT RISKIN

Directed by Frank Capra

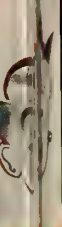
Distributed by Vitagraph, Inc.

Produced at **WARNER BROS. STUDIO**
Backed by **WARNER BROS. SHOWMANSHIP**

THEY CAME!..

REACHING FOR THE SUN

THEY SAW



IT'S A GREAT CRITICS PICTURE!

THE REPORTER

"**CLICKS** as fine romantic comedy!" —*Hollywood Reporter*

VARIETY

"**ENTERTAINMENT** should please widely!" —*Daily Variety*

SCREEN LIFE

"**OUTSTANDING**, delightful romantic comedy!" —*E. J. Smithson, Fawcett Pub.*

EXHIBITOR

"**REACHES** new heights in entertainment value!" —*Jay Emanuel Publications*

"**GRIPS** as no ordinary comedy—but digs deeper and finer!" —*Jimmy Starr, L. A. Herald Express*

THE KANSAS CITY STAR

"**WELCOME** as pay-day, as happy-go-lucky as Saturday night!" —*Jack Moffitt, Kansas City Star*

SHOWMENS TRADE REVIEW

"**REFRESHING** entertainment . . . should receive satisfactory returns at the box office!" —*Ann Lewis, Showman's Trade Review*

"REACHING

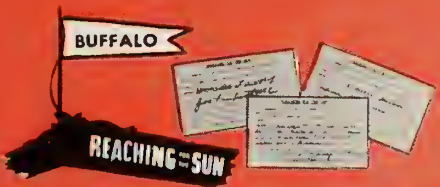
starring **JOEL McCREA**

EDDIE BRACKEN

Produced and Directed by **WILLIAM A. WELLM**

THEY CONCURRED!

IT'S A GREAT AUDIENCE PICTURE!

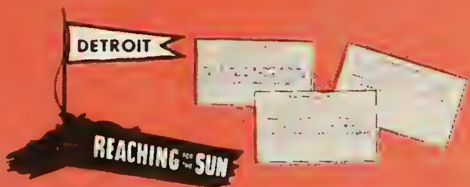

BUFFALO
REACHING FOR THE SUN

"Fine picture and fine acting!"

"I consider this picture the best in the last several years!"

"One of the best pictures I have ever seen. I have enjoyed it very much!"

"Excellent—not to be missed!"

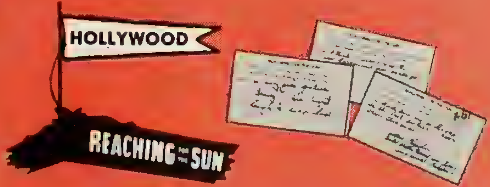

DETROIT
REACHING FOR THE SUN

"Best picture I have seen in ages!"

"Best comedy I've seen in a long time!"

"Good picture—enough said!"

"I think it was one of the best pictures I have yet seen and I am a frequent movie attender!"

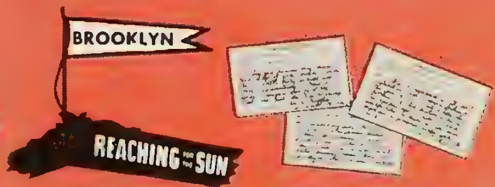

HOLLYWOOD
REACHING FOR THE SUN

"The show was grand. Thanks a lot!"

"It was fun while it lasted, but it was too short!"

"I haven't had such a laugh since I was a kid!"

"The best comedy I've seen in years!"


BROOKLYN
REACHING FOR THE SUN

"Entertainment really worth seeing again!"

"Just great! Perfect!"

"My idea of real entertainment!"

"This picture will take the country by storm!"

"One of the most enjoyable pictures I've seen in a long time!"

R THE SUN"

ELLEN DREW

t Dekker • Billy Gilbert

een Play by W. L. River • A Paramount Picture

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Mar. 28		The Bad Man (O) 124 *Wallace Beery* *L. Barrymore*	Sign of the Wolf (D) *Grace Bradley* *Michael Whalen*	Las Vegas Nights (M) *Regan-Wheeler* *Tommy Dorsey*	In Old Cheyenne (O) *Roy Rogers* *Gabby Hayes*	Vivacious Lady (C) 162 *Rogers-Stewart* (Re-issue)	Dead Men Tell (D) 136 *Sidney Toler* *K. Aldridge*		Horror Island (D) Man-Made Monster (D)	Knockout (D) 568 *Art Kennedy* *Olympe Bradna*
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*			Roundup (O) *Richard Dix* *Pat. Morison*	Pals of the Pecos (O) 2-Gun Sheriff (O)	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*			A Shot in the Dark (D) *Wm. Lundigan* *Nan Wynn*
Apr. 11		Men of Boys Town (D) 132 *Rooney-Tracy*	Break the News (D) *M. Chevalier* *J. Buchanan*	Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) *Judy Canova* *Bob Crosby*	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) 137 *Alice Faye* *Don Ameche*	Pot o' Gold (C) *James Stewart* *P. Goddard*	Lady from Cheyenne (O) *Loretta Young* *Robert Preston*	The Great Lie (D) *Bette Davis* *George Brent*
Apr. 18	Under Age (D) *Nan Grey* *Alan Baxter*	Washington Melodrama (D) 131 *Frank Morgan*	Hoosier Schoolboy (D) *Mickey Rooney* (Re-issue)	Border Vigilantes (O) *William Boyd* *Russell Hayden*	Rookies On Parade (C) *Bob Crosby* *Ruth Terry*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*	That Hamilton Woman! (D) *Vivien Leigh* *L. Olivier*	Model Wife (D) Mutiny in the Arctic (D)	Strange Alibi (D) *Art. Kennedy* *Joan Perry*
Apr. 25	Penny Serenade (C) *Cary Grant* *Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr* *Turner-Garland*	Tumbledown Ranch in Arizona (O) Invisible Ghost (D)	Power Dive (D) *Richard Arlen* *Jean Parker*	Lady From Louisiana (D) *John Wayne* *Ona Munson*	They Met in Argentina (M) *Maureen O'Hara* *James Ellison*	Mail Train (D) 139 *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon* *Melvyn Douglas*	Flame of New Orleans (D) *Marlene Dietrich* *Robert Young*	The Wagons Roll at Night (D) 560 *Bogart-Sidney*
May 2	The Big Boss (D) They Dare Not Love (D)	People vs. Dr. Kildare (D) *Ayres-Day* *L. Barrymore*	Widows of the Press (D) *Jean Parker* *Wallace Ford*	Reaching for the Sun (D) *Joel McCrea* *Ellen Drew*	The Singing Hill (O) *Gene Autry* *Smiley Burnette*	Bringing Up Baby (C) 163 *Hepburn-Grant* (Re-issue)			Black Cat (D) *Basil Rathbone* *Hugh Herbert*	Thieves Fall Out (C) 516 *Eddie Albert* *Joan Leslie*
May 9	Her First Beau (C) *Jane Withers* *Jackie Cooper*	A Woman's Face (D) *Joan Crawford* *Melvyn Douglas*	Human Ghost (D) The Pioneers (O)		Country Fair (C) *Lulu Bell & Scottie*	The Saint's Vacation (D) *Hugh Sinclair* *Sally Gray*	Great American Broadcast (M) *Alice Faye* *Oakie-Payne*			Affectionately Yours (C) *Merle Oberon* *Dennis Morgan*
May 16	She Knew All the Answers (C) *Joan Bennett* *Franchot Tone*	I'll Wait for You (D) *Marsha Hunt* *Robt. Sterling*	Redhead (D) *June Lang* *Johnny Downs*	There's Magic in Music (M) 4021 *Alan Jones* *Susan Foster*	Sheriff of Tombstone (O) A Gay Vagabond (C)	Bring 'Em Back Alive 131 *Frank Buck* (Re-issue)	Cowboy and the Blonde (O) *Mary B. Hughes* *G. Montgomery*			Singapore Woman (D) 563 *Brenda Marshall* *David Bruce*
May 23	Naval Academy (D) *F. Bartholomew*	Love Crazy (C) *Myrna Loy* *Wm. Powell*	King of the Zombies (D) *Dick Purcell* *J. Woodbury*	Pirates on Horseback (O) *William Boyd* *Russell Hayden*	Angels With Broken Wings (D) Desert Bandit (O)	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) *John Beal*		Too Many Blondes (M) *Rudy Vallee* *Helen Parrish*	The Nurse's Secret (D) 523 *Lee Patrick* *Regis Toomey*
May 30	Adventure in Washington (D) *Herbert Marshall* *Virginia Bruce*	Billy the Kid (O) *Robert Taylor* *Mary Howard*	Army Hostess (D) Wranglers' Roost (O)	I Wanted Wings (D) *Ray Milland* *Holden-Morris*	Saddlemates (O) *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* *John Carroll* *Ray Bolger*	Blood and Sand (D) 143 *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane* *Jeffrey Lynn*
June 6	Time Out for Rhythm (M) *Rudy Vallee* *Glen Gray*	The Get-Away (D) *Robt. Sterling* *C. Winniger*				Cyclone on Horseback (O) 185 *Tim Holt*	For Beauty's Sake (C) *Ned Sparks* *Marjorie Weaver*		Men of the Timberlands (D) *Arlen-Devine*	
June 13	Medico of Painted Springs (O) *Chas. Starrett*	Bargain Basement (C) *Marx Bros.*		One Night in Lisbon (D) *F. MacMurray*		Tom, Dick and Harry (C) *Ginger Rogers*	A Very Young Lady (C) *Jane Withers*		Tight Shoe[illegible] (D) *Binnie Barnes*	

PARAMOUNT SHORTS are Packed with Punch!
April 11 Benchley Comedy 'CRIME CONTROL'
April 11 Fleischer Special Cartoon 'RAGGEDY ANN and Raggedy Andy' (2-reel Technicolor)
April 18 An Animated Antic 'SPEAKING OF ANIMALS' (Down on the Farm)
April 25 Grantland Rice Sportlight 'SUN FUN'
100% BOX OFFICE TESTED!

'Miss Jones' Frisco High With $18,500

SAN FRANCISCO, April 23.—"The Devil and Miss Jones" took an excellent $18,500 at the Golden Gate and stayed a second week. The weather was perfect, aiding "Men of Boys Town" and "Blond Inspiration" to $16,500 at the Fox.

Estimated receipts for the week ending April 15-19:

"The Devil and Miss Jones" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $18,500. (Average, $15,000)
"Nice Girl?" (Univ.)
"Blondie Goes Latin" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 8 days, 2nd week. Gross: $9,500. (Average, $8,000)
"Men of Boys Town" (M-G-M)
"Blonde Inspiration" (M-G-M)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $16,500. (Average, $16,000)
"Sis Hopkins" (Rep.)
"Dead Men Tell" (20th-Fox)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $11,000. (Average, $12,000)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (25c-35c-40c-50c) 7 days. Gross: $9,800. (Average, $8,000)
"Road to Zanzibar" (Para.)
"Mr. District Attorney" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $12,800. (Average, $11,500)
"The Lady Eve" (Para.)
"Behind the News" (Rep.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 4th week (moved from Paramount). Gross: $5,000. (Average, $6,000)
"The Dream of the Butterfly" (Esperia Films)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $900. (Average, $1,000)
"Fantasia" (Disney)
GEARY — (1,288) (55c-75c-$1.10-$1.65) 7 days, 7th week. Gross: $11,500. (Average, $12,000)

'Zanzibar' $10,500 Leads Providence

PROVIDENCE, April 23.—Despite slow business the last three days of Lent, two film bills managed to go over average. "Men of Boys Town" and "Penthouse Mystery" at Loew's State did $13,000, and "Road to Zanzibar" plus "Mr. District Attorney" were good for $10,500 at the Strand.

Estimated receipts for the week ending April 16-17:

"The Devil and Miss Jones" (Col.)
"Melody For Three" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $5,500. (Average, $6,000.)
"Men of Boys Town" (M-G-M)
"Penthouse Mystery" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $13,000. (Average, $11,000.)
"That Night in Rio" (20th-Fox)
"A Shot in the Dark" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days, 2nd week. Gross: $6,000. (Average, $7,000.)
"Road to Zanzibar" (Para.)
"Mr. District Attorney" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $10,500. (Average, $6,000.)
"Sign of the Wolf" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 7 days. Stage show with Woody Herman and Orchestra; Aaron and Broderick; Chuck and Chuckles; Martin and Allen. Gross: $7,200. (Average, $4,700.)
"Knockout" (W. B.)
FAY'S—(1,800) (33c-39c-44c) 7 days. Stage show with Ben E. Ross and Maxine Stone; Peg Leg Bates; Russell and Christine; Cina and Cortez, and the Dobas Family. Gross: $3,000. (Average, $5,000.)
"Topper Returns" (U. A.)
"The Trial of Mary Dugan" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days. Gross: $1,700. (Average, $3,500.)
"Keeping Company" (M-G-M) (3 days)
"Lone Wolf Keeps a Date" (Col.) (3 days)
"Andy Hardy's Private Secretary" (M-G-M) (4 days)
"Texas Rangers Ride Again" (Para.) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,500. (Average, $1,700.)

Showmanship Flashes

Photo Contest Helps 'Ziegfeld' in Chicago

CHICAGO, April 23.—W. K. Hollander, Balaban & Katz publicity director, for "The Zeigfeld Girl" at the United Artists Theatre here, staged a contest with a roving photographer making photos of girls he considered "pretty as a Zeigfeld girl." Five pictures were published each day for three days, with tickets and prizes awarded those selected.

Letter Contest Aids Run of 'Boys Town'

Stevens Point, Wis., April 23.—Myron A. Neumann, manager of the Fox Theatre, planted a contest on the classified page of the local daily as a plug for "Men of Boys Town." Contestants were asked to write 150 to 200 words on the subject, "What Person or Thing Most Influenced Your Boyhood?" Ten pairs of tickets were awarded daily for the 10 best answers.

Col. Plans Newspaper Campaign on 'Serenade'

Columbia plans a newspaper advertising campaign on "Penny Serenade" in 45 key cities, in papers with a total circulation put at 18,500,000. The series of advertisements carry endorsements of the film by Irene Dunne, Cary Grant, Claudette Colbert, Loretta Young and Rosalind Russell. This series supplements the current national magazine campaign.

Patriotic Units Parade For 'Land of Liberty'

INDIANAPOLIS, April 23.—Manager Earl Cunningham of the Fountain Square here, introduced a four-day engagement of "Land of Liberty" with a parade of three American Legion posts, a unit of the Forty and Eight, and district officers and the district drum and bugle corps and color guard. A short patriotic service at the theatre concluded the parade and preceded the picture.

Russell Wins Twice in New Loew's Competition

NEW HAVEN, April 23.—Robert E. Russell, manager of the Loew-Poli, has won two awards in the new Loew's Dollar Club competition for new business gains. They are the first to be awarded in this division. He will receive a walnut and bronze plaque for his work on "Go West," and another for "Flight Command" results.

Warners in Tieup with Hat Firm on Pictures

Warner has arranged a large scale tieup with the Byer-Rolnick Co., of Garland, Tex., manufacturers of men's hats, for cooperative promotional campaigns on at least 12 Warner pictures each year, over an extended period. The first film to be exploited under the arrangement will be "Navy Blues." Eddie Albert, featured in the film, will be prominent in a national advertising campaign.

Teaser Visiting Cards Used on 'That Feeling'

BALTIMORE, *April 23.—Fifteen thousand cards, the size of a visiting card, printed with teaser copy, were distributed throughout the shopping district prior to "That Uncertain Feeling" showing at Loew's Century. The message read: "'That Uncertain Feeling' comes and goes." It carried no theatre mention or play date, being entirely teaser copy.*

Warner's Florist Tieup On 'Affectionately Yours'

Warners has arranged a national tieup for "Affectionately Yours" with the Florists Telegraph Delivery organization, which plans a "national affection week," with the slogan to be the title of the film.

Coffee and Doughnuts Show to Plug 'Devil'

WORCESTER, Mass., April 23.—Harold H. Maloney, manager of Loew's Poli here, tried a "coffee and doughnut" performance at 6 A. M. to ballyhoo "The Devil and Miss Jones."

Theatre Changes

Plans Chicago Suburban

CHICAGO, April 23.—B. A. Lucas of Lucas Theatres Co. plans a 1,000-seat house in Oak Lawn, Chicago suburb. Parking facilities for 500 cars are planned. Lucas also is considering the opening of two drive-in theatres in local suburbs, and others in Indiana.

To Remodel Hippodrome

BALTIMORE, April 23.—I. M. Rappaport's Hippodrome is scheduled to close for three weeks during June for remodelling.

Manages Indianapolis Drive-In

INDIANAPOLIS, April 23. — Sidney Sayetta, formerly of St. Louis, where he was assistant manager of the St. Louis Drive-In, is the new manager of the Drive-In Theatre here, which has opened for the Summer.

Leases California House

LOS GATOS, Cal., April 23.—The Blanco Theatre Company has leased the Los Gatos Theatre, and will reopen the house after remodelling.

Announce Appleton's Third

APPLETON, April 23.—A 1,000-seat theatre will be opened in the Bahcall Building here by Marcus, Svirnoff and Lowe, of Ripon, Wis., about July 1. The lessors operate six other houses in Wisconsin. Both Eskin Theatres and Warners previously announced they would build theatres here.

To Reopen Resort House Soon

ASBURY PARK, N. J., April 23.—The Mayfair, damaged by fire recently, will reopen May 8 after repairs.

To Rebuild Damaged House

QUINCY, Cal., April 23. — The Quincy Theatre, recently damaged by fire, will be rebuilt by the owner, Paul Sprague.

Leaves Worcester Theatre

WORCESTER, Mass., April 23. — Franklin Silverman has resigned from the staff of the Warner here. Additions are Jack King, John Mitchell and Roger Steinberg.

'Great Lie' Is Seattle Best, Takes $6,900

SEATTLE, April 23.—An after-Easter influx of strong attractions put this week's grosses into the "win" column. "The Great Lie" took $6,900 at the Orpheum and "Men of Boys Town" hit $7,900 at the Fifth Avenue.

Estimated receipts for the week ending April 18:

"Topper Returns" (U. A.)
"Free and Easy" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $4,100. (Average, $4,000)
"Men of Boys Town" (M-G-M)
"Scattergood Baines" (RKO)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $7,900. (Average, $7,000)
"Ellery Queen's Penthouse Mystery" (Col.)
"Lil' Abner" (RKO)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $5,000. (Average, $5,000)
"The Lady Eve" (Para.)
"Melody for Three" (RKO)
MUSIC BOX—(950) (30c-40c-50c) 7 days, 2nd week. Gross: $3,600. (Average, $4,000)
"The Great Lie" (W. B.)
"Strange Alibi" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $6,900. (Average, $6,000)
"The Boss of Kansas City" (Univ.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Vaudeville on stage. Gross: $4,900. (Average, $5,000)
"That Night in Rio" (20th-Fox)
"Sleepers West" (20th-Fox)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $6,800. (Average, $6,000)

'Zanzibar' $11,000 Minneapolis' Best

MINNEAPOLIS, April 23.—"The Road to Zanzibar" at the State took a strong $11,000.

Estimated receipts for the week ending April 18:

"The Road to Zanzibar" (Para.)
STATE—(2,300) (29c-39c-44c) 7 days. Gross, $11,000. (Average, $6,000.)
"The Devil and Miss Jones" (RKO)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. Gross, $6,000. (Average, $5,500.)
"Buck Privates" (Univ.)
GOPHER—(998) (28c) 7 days, 5th week. Gross, $4,000. (Average, $2,500.)
"The Lady Eve" (Para.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 3rd week. Gross, $2,500. (Average, $1,600.)
"Andy Hardy's Private Secretary" (M-G-M)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross, $5,000. (Average, $4,000.)
"Great Mr. Nobody" (W. B.) 3 days.
"Invisible Woman" (Univ.) 3 days.
"Footlight Fever" (RKO) 3 days.
"Robbers of the Range" (RKO) 3 days.
ASTER—(900) (15c-28c) 6 days. Gross: $2,300. (Average, $1,800.)

"Nice Girl" Draws $12,000, Toronto

TORONTO, April 23.—"Nice Girl?" took $12,000 at the Imperial in the second week.

Estimated receipts for the week ending April 19:

"Nice Girl?" (Univ.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days, 2nd week. Gross: $12,000. (Average, $9,000)
"Andy Hardy's Private Secretary" (M-G-M)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $11,500. (Average, $9,000)
"Buck Privates" (Univ.)
"Blondie Goes Latin" (Col.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days, 2nd week. Gross: $9,000. (Average, $7,500)
"Mr. and Mrs. Smith" (RKO)
"Melody for Three" (RKO)
TIVOLI—(1,434) (10c-25c-40c) 6 days. Gross: $4,500. (Average, $3,900)
"Road to Zanzibar" (Para.)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days, 2nd week. Gross: $11,000. (Average, $9,000)

Early Buying Rush Fails to Materialize

(Continued from page 1)

for the advancement of sales conventions and new product offerings by other companies, officials point out.

Major company sales executives report that new season buying up to this point is no more active than in other years and exhibitor interest in new contracts is mild. The exhibitor attitude being displayed, it is said, reflects a confidence that there will be as much product available next season as in previous seasons, and that it will be available at the right prices under the new selling method.

Such an attitude on the part of the exhibitors is being accepted by sales executives, inquiry reveals, as conclusive evidence that no marketing disadvantage is likely to confront the five consenting companies through being obliged to delay offering their first blocks of new season films until July or August, and that, on the other hand, there is no patent advantage to be gained by the non-consenting companies in offering new season's deals earlier than usual.

They conclude that exhibitors have no serious apprehensions about being able to obtain all the product they require at fair terms under the new selling method, and, therefore, have discounted the trade's earlier impression that they would gain a bargaining advantage by facing the start of the blocks-of-five selling method with a backlog of produce from the non-consenting companies already under contract.

Drama Guild Offers To Reopen Contract

(Continued from page 1)

sponse to one by the League to withdraw its anti-trust suit against the Guild if negotiations were reopened.

Rice, in his letter, stated that the League could drop the suit if it wished but that the Guild would be willing to reopen the discussions without discontinuance of the action. He insisted, however, that the League name the producers whom it represents and that those producers agree to be bound by decisions made by a League negotiating committee. He also asked for a list of specific items which the League wanted discussed.

Rice stated that the offer by the Guild was made in the interests of harmonious relations with the producers and pointed out that the contract had been the subject of discussions with the League and other producers for several months.

Para. Seeks Loan Of Ginger Rogers

Hollywood, April 23.—Negotiations are under way for Paramount to borrow Ginger Rogers from RKO for the lead in "Lady in the Dark," the role currently being played by Gertrude Lawrence on Broadway. Paramount paid $185,000 for the screen rights to the play, which is a leading Broadway hit.

Feature Review

"The Flame of New Orleans"

(Universal)

MARLENE DIETRICH'S new comedy, "The Flame of New Orleans," is good entertainment. Miss Dietrich turns in an excellent performance in the role of a suave and languorous deceiver against the pre-Civil War background of New Orleans. It is not a role as vital and sparkling as that which she enjoyed in "Destry Rides Again,"—not as animated but a good one. The picture will click according to how strongly wise showmen will get behind it.

Miss Dietrich, as a Continental adventuress newly arrived in the New Orleans of pre-Civil War years, meets Roland Young, a wealthy banker, and Bruce Cabot, a penniless merchant sailor, in quick succession. Her designs are aimed at Young, who promptly proposes marriage, but her heart is for Cabot. As her wedding day approaches, Miss Dietrich, posing as a countess, is recognized by Mischa Auer, in the person of a Russian diplomat, and her notorious past becomes gossip which reaches the ears of Young.

Intent upon marrying him for his money, Miss Dietrich successfully adopts a dual pose which convinces Young that the scandalous adventuress is not his intended bride but merely an undesirable relative of hers who bears a striking resemblance to her. Cabot, however, discovers the deception and makes love to her on the eve of her wedding. She forsakes Young at the altar next day to return to Cabot. As his boat sails down the river out of New Orleans, a wedding gown is cast from a port hole into the water, leading to the legend that the bride had drowned herself, the legend with which the picture opens.

Miss Dietrich sings a strictly parlor ditty called "Sweet Is the Blush of May," and a long note removed from her throaty "Little Joe" of "Destry."

Young and Cabot contribute good performances, as do Laura Hope Crews, as Young's aunt; Andy Devine, Auer, Franklin Pangborn, Theresa Harris and Melville Cooper.

As Rene Clair's first Hollywood assignment, the directorial work is competent. Under a burden of dialogue, the movement lags noticeably at intervals, without compensating directorial originality elsewhere. Joe Pasternak's production is in keeping with his standard. Running time, 78 minutes. "A."*

"A" denotes adult classification.

Arnold Has No Plan To See Gov. Stassen

(Continued from page 1)

and may be in Minneapolis, was reported in Washington on Tuesday. It is also regarded in the trade as a likely procedure, inquiry revealed yesterday.

Meanwhile attorneys for the five consenting companies met yesterday to discuss the problems which will confront the distributors should the measure become law. No decisions have been made, it was reported late last night. While the chances of a veto are considered slight by trade observers, they have not abandoned hope altogether of such action.

In Washington yesterday, Department of Justice spokesmen also disclaimed knowledge of reports that Arnold would appeal to Gov. Stassen for a veto. These sokesmen indicated that if signed by the Governor, the bill will become the basis for an appeal to the Federal Court for relief from booking provisions of the New York case consent decree.

Six Companies Formed

ALBANY, April 23.—Six new companies have been incorporated here. They include: The Triplex Film Corp., New York; Transfilm, Inc., New York; Lyngar Productions, Inc., New York; Maso Amusement Corp., Brooklyn; Kingsbridge Theatre, Inc., New York, and Camp Enterprises, Inc., Saratoga Springs.

ITOA Bans Films From Axis Nations

(Continued from page 1)

ent show films imported from the countries named, it was said.

The resolution cites the potentially subversive character of the Axis films. Copies of the resolution are to be sent to President Roosevelt, Secretary of Commerce Jones, Secretary of the Treasury Morgenthau, Secretary of State Hull, Congressman Sol Bloom, chairman of the House foreign relations committee; Senator James M. Mead of New York and J. Edgar Hoover, chief of the FBI.

Amusements Gave $600,000 to Greece

(Continued from page 1)

Quigley, Sidney R. Kent, Sam H. Harris, Joseph Bernhard and W. G. Van Schmus.

Samuel Goldwyn was active in the drive on the Coast as chairman of the Motion Picture Permanent Charities Committee in Hollywood.

Division committee chairmen are: distributors, Gradwell L. Sears; exhibitors, John H. Harris; exhibitor organizations, Harry Brandt; trade papers, M. D. Kann; newsreels, A. J. Richard; sports, Bill Corum; legitimate theatres, Sam H. Harris; accessories, Charles L. O'Reilly. M. S. Gowthorpe is treasurer and L. E. Thompson chairman of the campaign committee.

Schine Trial Not Possible Before Sept.

(Continued from page 1)

court at Nashville, which has been set for July 7, Judge Knight directed Simon to notify him within two wee[illegible] whether the Government will press for trial here or will delay the local proceedings in favor of the Nashville case.

Edward C. Raftery, counsel for United Artists and Universal, requested the court to stay the proceedings here definitely until the Nashville trial is over, pointing out that it would be extremely difficult for the "Little Three" to defend two cases at the same time.

Raftery told the court the Nashville case "will require a baggage car full of exhibits and will take at least four months to try."

The court informed the defense attorneys, who also included Willard S. McKay, counsel for the Schine Circuit, and Louis D. Frohlich, counsel for Columbia, that the condition of the Federal court calendar here would make impossible to bring the Schine case to trial before next September, regardless of the Government's intentions.

UA Realigns Sales Staffs in 7 Districts

(Continued from page 1)

included New Haven and Boston. Stern has been transferred to the Chicago district in charge of the exchange there and those at Milwaukee, Minneapolis and Denver. He succeeds Irving Schlank, who will be reassigned later.

Buffalo has been linked with the New Haven and Boston exchanges to form a new district, which will be headed by John J. Dervin, former Boston branch manager. Dervin was to have become Southern district manager originally, but under the switch placing him in charge of the New England district, C. E. Peppiatt, New Orleans branch manager, gets the Southern assignment. His district includes Atlanta, Charlotte and Dallas, in addition to New Orleans, his headquarters. He succeeds Hugh Owen, who resigned to join Paramount.

Buffalo, now in the New England district, formerly was a part of the district headed by Bert Stearn, who remains in charge of Cleveland, Cincinnati, Pittsburgh and Indianapolis. Jack Goldhar, who for a time was special field representative for Haskell M. Masters, United Artists Western sales manager, will return to his former district as manager of the Detroit, St. Louis, Kansas City and Omaha branches.

Denver is a new addition to the Chicago district under Stern. It was formerly a part of Ben Fish's Far West district. The latter remains in charge of the Los Angeles, San Francisco, Seattle and Salt Lake City branches.

In the Canadian district, A. Iscove replaces A. Feinstein as manager of the Calgary branch.

INTERNATIONAL

MOTION PICTURE ALMANAC

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Mason Named To Head Navy Radio Activity

WASHINGTON, April 23.—Frank Mason, NBC vice-president in charge of public information, has been named $1-a-year civilian head of the U. S. Navy's radio activities, it was announced today by Secretary of the Navy Frank Knox. Mason will assume his new duties about May 1.

Knox, who was general manager of Hearst newspapers at the time Mason was president and general manager of International News, described the later as an "old, old friend," during a press conference.

Mason will continue with his duties at NBC, it was said by the company last night. Although it will be necessary for him to spend some time in Washington to reorganize the Navy's publicity in the beginning, later he will divide his time between Washington and New York.

He was a major in the Army's Military Intelligence Division during the World War and was the first military attache at the American Embassy in Berlin after the war. He was also assistant military attache at The Hague.

Five Stations Will Join Mutual Web

Five pioneer stations will join Mutual as basic full time outlets within the next 14 months, it was announced here. All were started in 1922 or before. They operate with 5,000 watts.

WCAE, Pittsburgh, WFBR, Baltimore, and WGR, Buffalo, will become affiliated with Mutual Oct. 1. The first two have been NBC-Red basic stations for more than 10 years and WGR has been a basic CBS affiliate for 10 years.

WNAC, Boston, and WEAN, Providence, will join June 1, 1942. WNAC is the key station for the regional Yankee Network, and has been an NBC-Red basic station for five years, prior to which it was affiliated with CBS. WEAN has been affiliated with both NBC-Blue and Mutual but will discontinue its Blue affiliation June 1, 1942.

WINS Will Feature More Talent Shows

WINS, which has received FCC permission to increase its power to 50,000 watts, plans to reduce the number of recorded shows and feature live talent musical programs, it was said yesterday, coincident with the announcement that Henry Sylvern will succeed Louis Katzman as music director for the station Monday. Katzman resigned to devote all his time to his position of research director for BMI.

Sylvern plans to divide the house orchestra into a series of diversified units in combinations ranging from a four-piece swing band to a concert trio.

Charter Radio Firms

DOVER, DEL., April 23.—Two new radio companies incorporated here are the American Network, Inc., and Affiliated Broadcasting Corp.

Off the Antenna

BILL STERN, NBC director of sports, yesterday signed a three-year renewal of his contract with M-G-M "News of the Day" as sports commentator for the newsreel.

• • •

Purely Personal: *George Bryan has received the announcing assignment on "Life of Riley," heard Saturdays at 10 A.M. over CBS. . . . Tallulah Bankhead will be guest on "Duffy's Tavern" Saturday on CBS. . . . Paul Kennedy,* Cincinnati Post *radio editor, is in town and is writing his column from here.*

• • •

Despite the fact that most stations regard Daylight Saving Time as a serious interference with their schedules, particularly because it is not uniform throughout the country, there is at least one station which looks forward to the changeover. WNYC will be permitted to remain on the air until 9 P.M. from Sunday, when Daylight starts, until April 30, and until 9:30 P.M. during May. WNYC must sign off when the sun sets in Minneapolis and Daylight Time thus gives the station an extra hour.

From Toronto comes word that the new schedules will cause the elimination of several exchange features between U. S. networks and Canadian Broadcasting Corp. Canada has been observing Daylight Time since April, 1940, as a war measure. A formal CBC announcement says that "certain selected lighter features and the inclusion of several important new series relating directly to Canada's part in the war" will be substituted for the exchange features with the U. S.

• • •

Program News: *R. J. Reynolds Tobacco has renewed for an additional 13 weeks the Xavier Cugart's orchestra and Yvette program broadcast over NBC short wave. . . . Another Procter & Gamble show, "Mary Marlin," will shift to CBS Monday, when it will be heard over 35 stations Mondays through Fridays 5-5:15 P.M. . . . Standard Oil of Indiana will sponsor for 52 weeks "Auction Quiz" over 32 NBC-Blue stations, Fridays, 8-8:30 P.M. . . . "March of Games" will celebrate its third anniversary on CBS Sunday. . . . "News—Here and Abroad" will be the title of the series of newscasts by William Hillman and Raymond Clapper which starts over NBC-Blue Monday at 9:30 P.M. It will be heard Mondays, Tuesdays and Wednesdays. . . . Crawford Clothes has renewed its contract for 12 hours weekly over WMCA for nine weeks.*

F.C.C. Authorizes Station in Virginia

WASHINGTON, April 23.—Construction of a new 1,340-kilocycle, 250-watt broadcasting station at Covington, Va., by Arrington & Arrington, has been authorized by the Federal Communications Commission, which also granted an application of Station WATR, Waterbury, Conn., for increase of power from 250 to 1,000 watts.

The commission ordered hearings on a number of applications, including those of Scripps-Howard Radio, Inc., and Texas Star Broadcasting Co., each seeking a new 1,230-kilocycle, 250-watt station at Houston, Tex.; Herald Publishing Co., for a new 1,370-kilocycle, 250 watt station at Klamath Falls, Ore., and Dorman Schaeffer for a 1,400-kilocycle, 250-watt station in the same city; the Metropolis Co., Ocala, Fla., seeking the facilities of Station WTMC, revocation of whose license is under consideration.

Also, Bay County Publishers, Inc., Panama City, Fla., seeking the facilities of Station WDLP, revocation of whose license is under consideration; John C. Scripps for a new 1,460-kilocycle, 1,000 watt station at Ventura, Cal., and Stations WENY, Elmira, N. Y., for change of frequency from 1,200 to 590 kilocycles and increase of power from 250 to 1,000 watts; KWK, St. Louis, Mo., for change of frequency from 1,380 to 680 kilocycles and increase of power from 5,000 to 50,000 watts; KFEQ, St. Joseph, Mo., for extension of time from day to unlimited and increase of power from 500 watts night, 2,500 watts day, to 5,000 watts; and KGGF, Coffeyville, Kan., for increase of power from 500 watts night, 1,000 watts day, to 5,000 watts.

Advertising Trend Is to Newspapers, Away from Radio, ANPA Is Informed

The tide has turned toward newspaper advertising, as opposed to the two other principal media, radio and magazines, William A. Thomson, director of the Bureau of Advertising, told the American Newspaper Publishers Association yesterday at its annual convention at the Waldorf-Astoria.

The 84 largest radio advertisers, who in 1939 reduced their expenditures in newspapers by $260,000, added to their newspaper appropriations in 1940 by more than $3,580,000, Thomson declared.

Thomson urged newspapers to foster cordial dealer relations because manufacturers frequently ask dealers where to place their advertising, and a dealer preference for radio and magazines rather than newspapers was revealed by an informal poll conducted by the Bureau.

The A.N.P.A. convention will end today after the annual election of officers.

MBS Denies NBC Charges In Fight Suit

Mutual, 20th Century Sporting Club and Gillette Safety Razor Co. filed answers yesterday in N. Y. Supreme Court denying all allegations in the NBC complaint which charged that NBC had acquired radio rights to boxing bouts prior to the exclusive Mutual contract with the sporting club. Immediately after the answers were filed, NBC filed a notice of trial without a jury.

Not date for the trial is fixed by the notice but it is expected that NBC will seek a preference on the calendar in order to have a hearing before June 1, when Mutual will take over the fights under its contract.

The answer stated that on March 18, Mutual and Gillette signed a contract with 20th Century "in good faith." One issue raised by the answer is that the deal which NBC claims to have made with Mike Jacobs, head of the club, was not submitted to Madison Square Garden for approval as required, while the Mutual contract received the assent of Garden officials. The sporting club denies any deal with NBC, it was added. Mutual and Gillette also asserted in the answer that NBC, after learning that Mutual had a contract for the bouts, attempted to persuade Jacobs to breach such agreement.

F.C.C. Rejects NBC Clear Channel Stay

WASHINGTON, April 23.—The FCC today announced the rejection of a petition by NBC for a stay of its order of April 7 authorizing Station WHDH, Boston, to operate on the clear-channel frequency assigned Station KAO, Denver, but suspended that order pending the filing by NBC of a petition for rehearing of the case.

The order is being contested by the network on the ground that it will serve as a precedent for doubling up on the clear channels and destroying the purpose for which they were set aside. NBC officials have said that, if necessary, they will carry the matter to the courts.

Canadian Chaplain Attacks CBC Shows

OTTAWA, April 23.—Rev. George A. Wells, chief Protestant chaplain to the Canadian armed forces, at a meeting of the Ottawa Rotary Club here assailed the CBS, and said that on Sunday evening, "nothing worth listening to came over the air."

Bishop Wells declared that a well-balanced and carefully selected radio program could be of the greatest value to the people of any country. He said there are no greater agencies for spreading fact among masses of people than radio and the newspaper.

Disney Gets Scroll

HOLLYWOOD, April 23.—Walt Disney last night received a scroll in recognition of the lighting in "Fantasia," from the Illuminating Engineering Society of America.

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J. J. O'Connor, Meyers Leave RKO Theatres

Policy Differences Led To Resignations

John J. O'Connor, vice-president and general manager of RKO Theatres and Fred Meyers, chief film buyer for the circuit, resigned yesterday. It is reported that both will join Universal Pictures Co. Each of the executives resigned by telegrams sent to George J. Schaefer, president of RKO, and made known their actions verbally to Malcolm Kingsberg, executive vice-president of Keith-Albee-Orpheum.

John J. O'Connor

Neither Schaefer nor Kingsberg were available yesterday for comment.

(*Continued on page* 5)

Schenck, Moskowitz Receive Sentences

Joseph M. Schenck was sentenced to three years and a $10,000 fine on each of two counts of income tax evasion, the jail sentences to run concurrently, and Joseph H. Moskowitz was sentenced to a year and a day and a $10,000 fine yesterday by Federal Judge Grover M. Moscowitz. Bail

(*Continued on page* 5)

Daylight Time Is Effective Sunday

Daylight Saving Time will go into effect at 2 A.M. on Sunday, when clocks are to be pushed ahead one hour. The Summer time is effective in New York and the greater part of the state, and in 16 other states. Standard time will be resumed at 2 A.M. on Sunday, Sept. 28, when the clocks will be moved back one hour.

Arnold Says TNEC's Decree Criticism Is 'Misleading'

WASHINGTON, April 24.—Discussion of the film industry consent decree in the recent T.N.E.C. monograph is both "misleading and inadequate," in the view of Assistant Attorney General Thurman Arnold, it was made known here today with the release by the Temporary National Economic Committee of a letter from Arnold criticizing the report and a reply by W. Duane Evans, co-author of the monograph.

Arnold's letter charged that the T.N.E.C. report contained only certain excerpts from the decree and conclusions drawn therefrom, other provisions which militate against those conclusions being withdrawn, and that there was apparent a lack of realization that the decree gives additional remedies to exhibitors without depriving them of any of the remedies they formerly had.

Thus, Arnold said, an exhibitor suffering from a discrimination pro-

(*Continued on page* 4)

Jacob Fabian Dies; Founder of Circuit

Jacob Fabian, 74, father of Si Fabian, and founder of the Fabian Circuit, died Wednesday following a heart attack at his home in Paterson, N. J. Funeral services will be held at the Temple Emanu'El in Paterson

(*Continued on page* 4)

U.S. Tax Base Cut to 10 Cents Is Proposed

WASHINGTON, April 24.—Reduction of the U. S. admissions tax base from 21 to 10 cents today was formally proposed to the House Ways and Means Committee by Treasury experts at the opening of hearings on the new revenue bill.

Extension of the tax, from which it is estimated $55,000,000 a year will be derived, was suggested by John L. Sullivan, Assistant Secretary of the Treasury, after Secretary Morgenthau told the committee that the way of "business as usual" is over and all the energies of the nation must be directed toward national defense.

The expanded admission tax was only one of a number of Treasury proposals which would hit the motion picture and radio industries. Aside from the proposals for increased personal and corporation income tax rates—the former apparently headed for revision downward by the committee—the Treasury proposes taxes of 2 cents each on bank checks;

(*Continued on page* 4)

Two New Complaints Here On Clearance; Total Now 10

Two arbitration complaints on clearance were filed with the New York local board yesterday bringing the total of record here to 10 cases.

In Los Angeles, the third arbitration petition was filed with the local board by A. L. Sanborn, pioneer El Monte exhibitor, who, declaring he had no fight with the distributors, wanted formal recognition of his first run status and 63-day protection at his El Monte Theatre. Rufus Bailey, his attorney, in filing the petition, suggested readoption of the clearance and zoning schedule set up under the old NRA for that area.

M. L. Rothman, owner of the Colony, Sayreville, N. J., asks a reduction of the 14-day clearance of the Capitol at South River, N. J., to one day over the Colony, and a reduction of the 21-day clearance of New Brunswick, N.

(*Continued on page* 5)

Court Bars Strike In Music Dispute

ALBANY, April 24.—The Court of Appeals today decided that the musicians and stagehands' unions have no right to strike to prevent the use of recorded or other mechanical music instead of a full union orchestra. The decision was by a vote of 4 to 2.

The case involved the injunction suit of Opera on Tour, Inc., against the A.F.M. and the I.A.T.S.E. The company put on performances with phonograph recordings of music in place of an orchestra. The court held the sympathetic strike called by the stagehands was the result of a conspiracy and an illegal use of the strike weapon.

Breen Resigns Administration Of Film Code

Confirmation Given in Answer to Rumors

HOLLYWOOD, April 24.—In answer to rumors which had become widespread, Joseph I. Breen let it be known tonight through a spokesman that he had resigned as director of the Production Code Administration. It is understood that the resignation may probably become effective May 1, although no confirmation of this was given.

Breen, it is understood, plans a long vacation before announcing another connection. Meanwhile, no statement regarding his resignation or the appointment of a successor was forthcoming from the Association of Motion Picture Producers.

Despite his evident resignation, it is known that efforts have been made to have Breen reconsider and to continue in his present post.

Observers in the trade indicate it is not clear whether Breen's reported action is a result of a pre-determined plan to take up other work or the result of a misunderstanding over pol-

(*Continued on page* 4)

Extension of Atlas Option Due Monday

Extension of the option which is held by Atlas Corp. (Floyd Odlum) for the purchase of M. J. Meehan's estimated remaining 21,000 shares of Keith-Albee-Orpheum preferred stock, or whether the option will be exercised on Monday, when it comes due, it is reported will be decided between now and that time, depending upon the progress of present negotiations for K-A-O's $9,500,000 refunding

(*Continued on page* 4)

In Today's Issue

Three reviews: "The Great American Broadcast," from Hollywood, Page 5; "Rookies on Parade" and from Hollywood, "A Very Young Lady," Page 4. U.A. regional meeting in New York starts Monday, Page 5. "That Hamilton Woman," may get fifth week at Music Hall, Page 4.

Publicists Pledge Early Screenings

Hollywood, April 24.—The Publicity Directors Committee has promised Hollywood correspondents that it will "do everything within its power to assure that the Hollywood press previews all pictures in advance of any other showings in the United States." This promise was given yesterday in response to the demands of the Motion Picture Correspondents' Committee for earlier previews.

'Barbara' to Open At Astor on May 13

"Major Barbara," Gabriel Pascal production of the George Bernard Shaw play, and a United Artists' release, will open at the Astor Theatre on Broadway the evening of May 13. The deal was concluded by Arthur W. Kelly, U. A. vice-president in charge of domestic distribution, and Joseph R. Vogel, Loew's theatre executive. The film will follow "I Wanted Wings," currently at the Astor.

Following the premiere, for which all seats will be reserved, the film will continue on a continuous run, popular price policy. The film opens at the 4 Star Theatre in Los Angeles on May 6.

Warners-Goldwyn Parley Off: Sears

With reference to Warners' negotiations with Samuel Goldwyn, Gradwell L. Sears, Warners' general sales manager, yesterday issued a statement saying:

"Preliminary and exploratory talks were held with Mr. Leo Spitz, who represented Goldwyn, but no terms or conditions were agreed upon.

"The discussions have been dropped and there are no negotiations pending between the parties."

Bernstein's Son Engaged

The parents of Jacqueline Wolf of Indianapolis have announced her engagement to Robert M. Bernstein, son of David Bernstein, vice-president of Loew's, Inc.

Lindy's INC.
RESTAURANTS
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For over 20 years the luncheon and dinner place for Motion Picture People
Sole agents in New York for FAMOUS
BLUM'S ALMONDETTES
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San Francisco, California

Personal Mention

William F. Rodgers, M-G-M general sales manager, is expected early next week from a Midwestern business trip.

•

Joseph A. McConville, Columbia foreign manager, will leave New York today on the *Santa Elena* for a two-month business trip to South America.

•

A. A. Schubart, manager of RKO exchange operations, is visiting exchanges in the Midwest and West.

•

J. M. Franklin, president of the Franklin & Herschorn Circuit, has returned to his headquarters at St. John, N. B., after 10 weeks in Miami.

•

Richard Hill, northern New Jersey district manager for Warner Theatres, with headquarters in Newark, is recovering from a long illness.

•

L. J. Schlaifer, James Mulvey, Haskell Masters, Harry Gold, Charles Stern, Martin Moskowitz and Jack Goetz lunching yesterday at Lindy's (51st St.).

•

F. G. Spencer, head of the Spencer circuit at St. John, N. B., is back after three weeks in Daytona Beach, Fla.

•

Kenneth McKenna head of the M-G-M story department, leaves Hollywood today by train for a two-week stay here.

•

Mrs. William J. Heineman, wife of Universal's Western division sales manager, is the mother of a seventh child, Rose Marie, born at Doctors Hospital here this week.

•

Howard Antevil of the Schine Circuit home office at Gloversville, N. Y., is visiting here for a week.

E. C. Grainger, president of the Shea Circuit, is due back Monday from a trip to Cleveland and other Ohio cities.

•

Phil Reisman, RKO vice-president in charge of foreign operations, sails tomorrow on the *Argentina* on a trip to Rio de Janeiro and Buenos Aires.

•

Emanuel Silverstone, William Moses, Eugene Picker, Marvin Schenck and Al Margolies at Lindy's (next to the Rivoli) for lunch ;esterday.

•

Pat Scollard, William J. Heineman, J. J. Jordan, Martin Quigley, Colvin Brown, Walter Futter, Lou Pollock, William Fitelson, Abe Montague, Jack Cohn, Leo Abrams, Rube Jackter and Nate Spingold lunching at the Tavern yesterday.

•

Tom Connors, Joseph Seider, Sam Rinzler, Sam Shain, Jack Bowen, Max A. Cohen, Harry Brandt, George Weltner and Russell Holman at Nick's Hunting Room in the Astor yesterday for lunch.

•

Herman Robbins, George Dembow, Toby Gruen, Arthur Krim, William Brandt, Lee Shubert, Dennis King, Hal Horne, Clayton Bond, Frank Phelps, Joseph Rosthal and Mort Spring having lunch yesterday at Sardi's.

•

N. W. Mason, owner of the Roseland and Academy in New Glasgow, N. S., was honored by the local Canadian Legion for aiding war financing drives.

Columbia Names Gins Charlotte Manager

Joseph Gins, former salesman at Columbia's Pittsburgh exchange, was named Charlotte branch manager for the company yesterday. He replaces R. J. Ingram, who was made Atlanta branch manager succeeding the late Walter Anderson.

Rube Jackter, Columbia assistant sales manager, left for Charlotte last night where he will conduct a sales meeting with Gins to formulate plans for the exchange's activities for the final month of the company's "exhibitors' good will" sales drive.

Testimonial Lunch For Stern Today

A testimonial luncheon will be given by United Artists officials and associates for Charles Stern, former Eastern district manager, who is being transferred to the Chicago district, at Dinty Moore's today. Stern will leave for Chicago Sunday to take charge of his new district.

Skouras Coming East

Hollywood, April 24.—Spyros Skouras left here by plane for New Orleans last night, en route to New York, after attending the annual Americanization meeting in Los Angeles Tuesday night. George Skouras leaves here by plane for New York tomorrow.

Picture Pioneers Plan Party in May

Plans for the annual Spring dinner and get-together of the Picture Pioneers are scheduled to be completed by the organization's executive committee early next week, Jack Cohn, Columbia vice-president and "house manager" of the organization, said yesterday. Present plans contemplate staging the affair during the third week in May.

Pathe, Founder of Newsreel, Arrives

Charles Pathe, French film industry pioneer and founder in this country of Pathe News, arrived yesterday by clipper by way of Lisbon. The 77-year-old Frenchman, accompanied by his wife, will spend a few weeks here and then leave for Hollywood, his first visit there in 20 years. He retired from business many years ago.

Universal Has Four Films on Broadway

With the opening of "The Flame of New Orleans" at the Rivoli today, Universal will have four features on Broadway. The Roxy is holding over "The Lady from Cheyenne," as the result of booking difficulties; "The Black Cat" opens today at the Rialto, and "Model Wife" is playing on a double bill at the Palace.

Newsreel Parade

Views of the defense works about the great British naval base at Singapore, and New York's first test of air raid defenses hold the spotlight in the weekend issues of the newsreels, the contents of which follow:

MOVIETONE NEWS, No. 66—Views Singapore naval base. Test New York's air defense. Sheep roundup in Washington State. War Secretary Stimson inspects new trackless tanks at Fort Meyer, Va. Cavalry and motor units maneuver at Fort Bliss. Spring fashions. Boxing for soldiers at Fort Meade, Md. Gliding contest at Arvin, Cal.

NEWS OF THE DAY, No. 264—Churchill visits Bristol. Singapore naval base active. RAF pilots rescued from Channel. Air raid defense test in New York. Girl swimming stars in Florida. "Ziegfeld Girl" contest at Arrowhead Springs, Cal. Troops taught to box at Fort Meade, Md. Jalopy race in California.

PARAMOUNT NEWS, No. 69—Secretary of War Stimson views trackless tank. Defense workers get gas drill at Bremerton, Wash. Crew of German liner under guard in New Mexico. Churchill on visit to Bristol. RAF pilots rescued from Channel. New community nursery school near London. English garrison at Singapore.

RKO PATHE NEWS, No. 69—Army organizes air raid defense in New York. Singapore heavily guarded. Australian air force on parade. Churchill visits Bristol. Boats save RAF pilots from English Channel. Glider contest in Arvin, Cal. Boxing instruction for troops at Fort Meade, Md.

UNIVERSAL NEWSREEL, No. 974—Air raid defense in New York. Trackless tanks inspected at Fort Meyer, Va. Gas drill for workers at Bremerton, Wash. Soldiers boxing at Fort Meade, Md. Prepare wheat referendum in Washington. RAF pilots rescued from English Channel. Men model women's clothes in Philadelphia. Youngsters play rooftop basketball in New York. Glider contest at Arvin, Cal.

Discuss Coast Part In Club Convention

Hollywood, April 24.—The Studio Publicity Committee, of which John Joseph of Universal is chairman, met at a luncheon yesterday with John Harris, head of the National Variety Clubs, to discuss Hollywood participation in the Variety Club convention in Atlantic City, May 15-17.

British Producer Dies

London, April 24.—Kurt Claud Alexander, film producer, died here yesterday of heart disease. At his death he was engaged in the production of "Blitz Hotel."

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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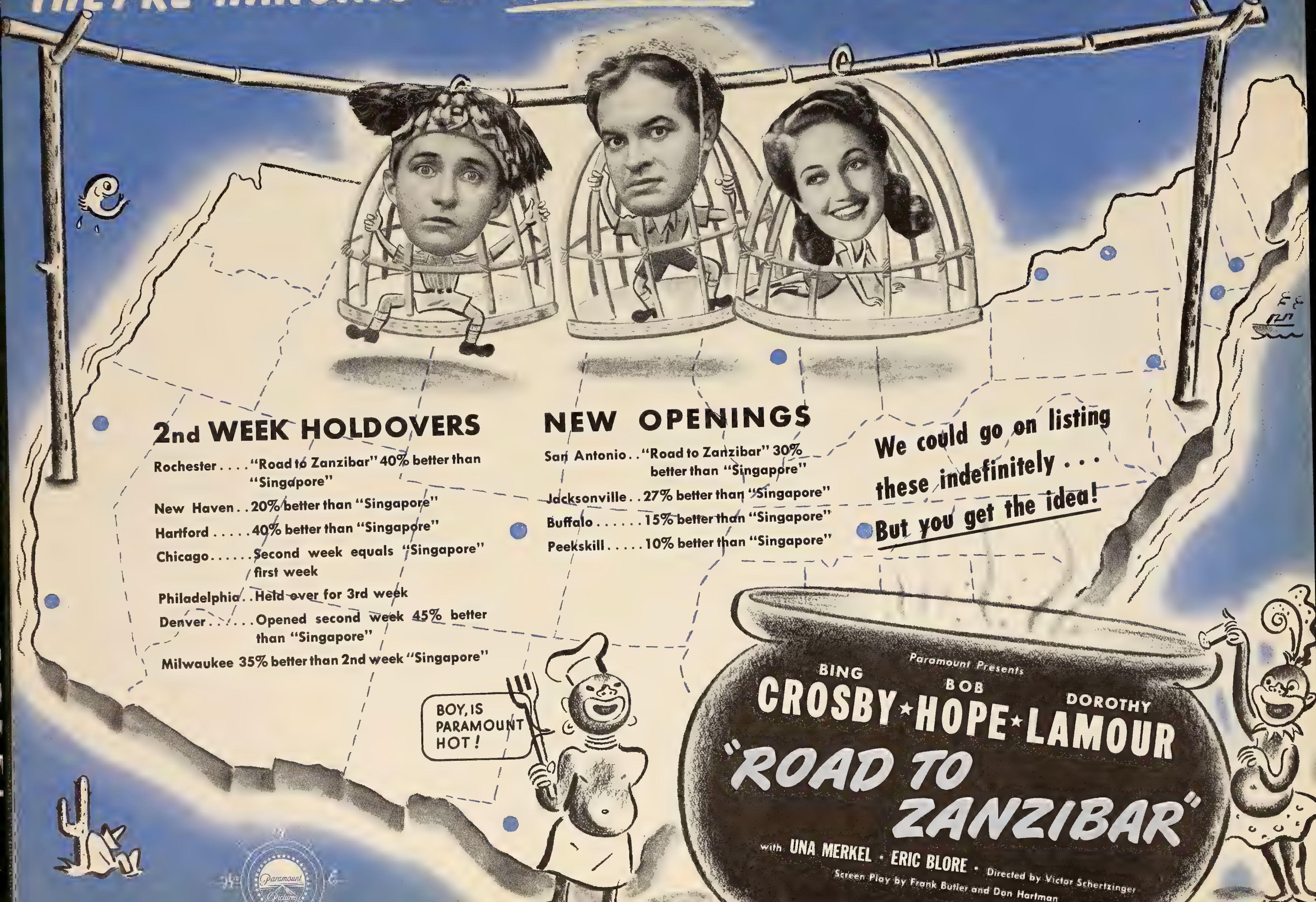
THEY'RE HANGING UP RECORDS FROM COAST TO COAST


BOY, IS PARAMOUNT HOT!

2nd WEEK HOLDOVERS

Rochester . . . . "Road to Zanzibar" 40% better than "Singapore"

New Haven . . 20% better than "Singapore"

Hartford . . . . . 40% better than "Singapore"

Chicago . . . . . . Second week equals "Singapore" first week

Philadelphia . . Held over for 3rd week

Denver . . . . . . Opened second week 45% better than "Singapore"

Milwaukee 35% better than 2nd week "Singapore"

NEW OPENINGS

San Antonio . . "Road to Zanzibar" 30% better than "Singapore"

Jacksonville . . 27% better than "Singapore"

Buffalo . . . . . . 15% better than "Singapore"

Peekskill . . . . . 10% better than "Singapore"

We could go on listing these indefinitely . . . But you get the idea!

Paramount Presents

BING CROSBY ★ BOB HOPE ★ DOROTHY LAMOUR

"ROAD TO ZANZIBAR"

with UNA MERKEL · ERIC BLORE · Directed by Victor Schertzinger

Screen Play by Frank Butler and Don Hartman

U. S. Tax Base Cut to 10 Cents Is Proposed

(Continued from page 1)

10 per cent on photographic apparatus of all kinds; 10 per cent on phonographs and phonograph records; increased rates on long-distance telephone, telegraph and cable messages; 5 per cent on telephone bills; 5 per cent on transportation tickets in excess of 35 cents; an increase from 5½ to 10 per cent on radio sets and parts, and 1 cent per gallon additional on gasoline.

The Treasury proposals call for total new taxes of $3,600,000,000. General hearings on the recommendations will open before the committee Monday.

Court Weighs Right Of Picture Seizure

LOS ANGELES, April 24.—The Superior Court here shortly will determine the right of a distributor to seize a film leased to an exhibitor who has tied in the film with a sex lecture, and at the same time whether an oral film contract made by a distributor's representative is binding on the distributor.

The action was brought against RKO by the operators of the Grand Wilshire Theatre here, over RKO's seizure of Ginger Rogers' "Primrose Path," first released in March, 1940. The Theatre spot-booked the film immediately after Miss Rogers won the Academy Award this year, with newspaper advertisements stressing the picture's alleged "sex" angles.

Joseph R. McDonough, vice-president of the RKO, signed the repossession papers, which included a charge that the oral licensing contract was invalid and obtained by fraudulent misrepresentation. Defendants named were E. A. Thomas, Harold Goldin and Mrs. P. A. DeCenzie, the latter described as a "sex" lecturer, who spoke at the few performances of "The Primrose Path" at the theatre. A counter-action was filed by the defendants against RKO.

Expected to arise in the action before it is completed, are two questions: whether a distributor to prevent the running of a film should repossess it through a writ of replevin, and whether oral contracts are binding and what hold a distributor has over product already rented and being shown in a theatre.

Jacob Fabian Dies; Founder of Circuit

(Continued from page 1)

at 11 A. M. on Sunday, with burial at the Temple Emanu'El Cemetery, Rochelle Park, Paterson. Surviving, in addition to Si Fabian, who operates the circuit, are the widow, Mrs. Rose Fabian, one daughter, Mrs. Samuel Rosen, and eight grandchildren.

The elder Fabian built his first film house, the Regent, in Paterson, in 1914, following that with the Branford, Newark, and Montauk, Passaic, from which the Fabian Theatres circuit developed.

Feature Reviews

"Rookies on Parade"

(Republic)

THIS Republic musical comedy is a gay combination of Broadway theatre and buck-private shenanigans and includes many melodic songs handled engagingly by Bob Crosby, Ruth Terry and Gertrude Niesen, together with an abundance of hilarious nonsense contributed mainly by Eddie Foy, Jr., Cliff Nazarro and Marie Wilson.

The comedy runs from the tough-sergeant routine to snappy-comeback quips and is anything but subtle. Some of it is strictly on the slapstick side. The vocal numbers include "Chula Chi Hua Hua," "Rookies on Parade," "Mother Never Told Me Why," "I'll Love You More" and "Londonderry Air." It is entertainment that should keep the audience smiling.

The film is somewhat slow in the early phases, describing the effort of the two songwriters, Crosby and Foy, to have a musical play produced by Sidney Blackmer. The scene shifts to an army camp after the boys are drafted, and then the fun begins. Miss Terry and Miss Wilson subsequently come to the camp as hostesses. The play is finally staged at camp and of course is successful. Joseph Santley directed.

Running time, 69 minutes. "G."*

"A Very Young Lady"

(20th Century-Fox)

Hollywood, April 24

HERE, Ladies and Gentlemen of Show Business, is a film full of entertainment for the public and good news for the art, the industry and all the folks. The good news is that Jane Withers, caught up with by the calendar and believed by some to be a victim of what has been called the awkward years, demonstrates in this portrayal of a fifteen-year-old school girl in love with her instructor that she is an actress to her finger tips and the period ahead holds greater instead of lesser glory for her. If you've been selling Withers short, don't. The time is at hand to turn on the exploitation at full blast and get ready to handle more Withers patronage than you have ever handled before.

Directed by Harold Schuster with understanding and a sure touch, the film opens with Miss Withers the tomboy of the finishing school, an impish youngster given to the pranks of the juvenile incorrigible. It details the means by which the faculty, regarding her as a problem child, tries to interest her in social activities and succeeds, without knowing it, in interesting her romantically in the school principal, played by John Sutton. It calls upon the youngster for display of an emotional range which is managed in a manner to captivate the customers of all ages and it ends with the character grown up and on her way toward adulthood. No child star has negotiated the change-over so competently.

Others in the cast are Nancy Kelly, Janet Beecher, Richard Clayton, June Carlson, Charles Halton, Cecil Kellaway, Marilyn Kinsley, JoAnn Hanson, Catherine Henderson, Lucita Ham and June Horne. Production, a fine job, is by Robert T. Kane.

Running time, 78 minutes. "G"*

ROSCOE WILLIAMS

"G" denotes general classification.

Arnold Says TNEC's Decree Criticism Is 'Misleading'

(Continued from page 1)

hibited by the decree still may bring an action for triple damages or relief, or both, under the anti-trust laws, or may use the more convenient or less expensive arbitration machinery set by the decree.

"If the decree limited the application of law to exhibitors," he contended, "it would be a dangerous experiment."

The anti-trust head pointed out that when the decree was developed the defendants were faced with many new problems, including the loss of a substantial part of their foreign business, and the decree was considered by the Department of Justice to be preferable to an all-out prosecution which would only have disorganized the industry further.

In an answer to Arnold, Evans asserted that the full decree was studied in reaching the conclusions which were criticized, and renewed the charge that exhibitors have lost some of their privileges. This, he said is due to the fact that before the decree an exhibitor could make a complaint to the Department with confidence that it would be acted upon, and that many such complaints were adjusted by mutual agreement after it became known the Government was investigating. Now, he said, that avenue of relief is probably closed, and exhibitors making complaints are likely to be referred back to the industry's arbitration machinery.

"Having created the arbitration machinery," he commented, "the Department would appear to be under some obligation to encourage its use."

Breen Resign Administratio Of Film Cod

(Continued from page 1)

icy, or whether it was brought abo by some other reason.

Those who would be expected to b cognizant of the situation clai[illegible] be mystified, and no informatio[illegible] obtainable at Breen's office other tha that given out.

Attaches of the M. P. P. D. A. i New York last night expressed com plete surprise when informed of th action. Will H. Hays was reporte at his home in Indiana and was nc available for comment.

'Hamilton' May Get Fifth Week at Hall

With a third week gross of $96,500 "That Hamilton Woman" is at least a possibility for a fifth week at the Music Hall. The decision to hold the film, which started the fourth week yesterday, depends on business over the weekend.

Meanwhile, business held up fairly well generally on Broadway. "The Lady from Cheyenne," with a stage show at the Roxy, drew an estimated $33,800 for the first week, ended Wednesday night, and will be held a second week. At the Capitol, "Men of Boys Town" scored an estimated $15,400 for the second week. It was replaced by "Ziegfeld Girl" yesterday.

The Strand had an estimated $36,000 for the second week of "The Great Lie," with Jimmy Dorsey and his orchestra on the stage. The third week begins today. "Meet John Doe" drew an estimated $12,500 in the final nine days at the Rivoli, ending the run of six weeks and two days last night. The film is being replaced today by "The Flame of New Orleans." At the Globe "Missing Ten Days" is expected to draw $4,500 for the first week, which ends tonight. "Strange Alibi" will start at the house tomorrow.

Extension of Atlas Option Due Monday

(Continued from page 1)

plans. The option is tied in with the planned refunding operation.

Yesterday officials stated that the negotiations on the refunding plan are progressing satisfactorily and they estimate that it may take another 60 days to complete the many details.

Besides Equitable Life Assurance Society, the bank syndicate which is interested in the refunding includes the Bankers Trust Co., Manufacturers Trust Co., Irving Trust Co. of New York and the Security First National Bank of Los Angeles.

Fielding Starts Circuit

ST. JOHN, N. B., April 24.—A. A. Fielding has established headquarters here for his new circuit. He starts with the Capitols in Digby and Bridgewater, N. S. as a nucleus.

J. J. O'Connor, Meyers Leave RKO Theatres

(*Continued from page* 1)

The RKO president is at the studio in Hollywood.

Appointed Head in 1938

O'Connor was appointed general manager of RKO Theatres in January, 1938, when Nate J. Blumberg, who held the position, resigned to become president of Universal. Previously he had been chief buyer and booker. Meyers, who had been assistant to O'Connor, was then promoted to chief film buyer and booker.

O'Connor's association with RKO traces back to 1921 when he joined Peerless Booking Corp., film buying and booking office for Keith-Proctor & Moss. In 1933 he was appointed chief buyer and booker for RKO Film Booking Corp., an outgrowth of the Peerless company, and held the position until his promotion in 1938.

Born in Amawalk, N. Y., July 10, 1896, O'Connor entered the industry in 1914, according to *International Motion Picture Almanac,* when he became associated with George Kleine, who was then roadshowing "Quo Vadis" and "The Last Days of Pompeii." Later he became a booker at the New York exchange of Kleine-Edison-Selig & Essanay Co. He then was with the old Pathe company in Newark, in 1919 and 1920, from there going to the Peerless Booking Corp.

Meyers started in distribution, and about 12 years ago entered the theatre field as assistant to O'Connor, remaining with him since.

Schenck, Moskowitz Receive Sentences

(*Continued from page* 1)

was continued to May 12, the date set for surrender.

In passing sentence, Judge Moscowitz accepted the recommendation of U. S. Attorney Mathias F. Correa. Harold H. Corbin, defense counsel, made a brief plea before sentence was passed and asserted, immediately afterward, that an appeal would be carried to the highest court, if necessary. The appeals machinery will be set in motion within five days, Corbin stated, when an application for a stay of sentence pending appeal will be filed.

Small Will Produce Shirley Temple Film

United Artists announced yesterday that Edward Small has signed Shirley Temple to star in a production to be made by him next fall. The announcement stated that the player will probably apear in "Lucky Sixpence," from the novel by Emilie Benson Knipe and Allen Arthur Knipe.

C. W. Thornton to Roach as Executive

HOLLYWOOD, April 24.—C. W. Thornton who recently resigned as treasurer and business manager of Edward Small Productions, on May 5 will assume duties as executive vice-president and general manager of the Hal Roach Studios.

Hollywood Review

"The Great American Broadcast"

(*20th Century-Fox*)

Hollywood, April 24

THE magic touch for musicals which Darryl Zanuck revealed in "Alexander's Ragtime Band" and has displayed again and again since that time, is to be noted in full play on behalf of entertainment in the case of "The Great American Broadcast," a film which provides a personal story strong enough to hold interest for itself whilst providing a framework on which is strung a sequence of song numbers by Mack Gordon and Harry Warren which are kind to the ear and stimulating to the pulse.

Either of these is as much as one good picture needs, yet this one has, in addition, a factual account of how radio got its start in 1919, how entertainment came to be its foremost function and how the industry progressed to the first broadcast on a coast-to-coast hookup. With these three appeals to depend upon, the film appears a natural for grosses in box-car figures.

The stars are Alice Faye, as a singer; Jack Oakie, as a radio technician in love with her and the mainspring of the picture's action; John Payne, as the man the girl loves and marries, and Cesar Romero, as the man of means who finances the ventures of the other three and is also in the market for the lady's hand in marriage. Oakie dominates the film with another of his headlong but well measured performances. All of these save Romero sing more or less of the score.

Contributing to the entertainment as themselves, and worked into the picture gracefully, are the Ink Spots, radio favorites here given their first screen presentation and making full use of it; the Nicholas Brothers, dancers seen in other musicals from the same studio and even more effectively in this one, and the three Wiere Brothers, newcomers who offer something new in the nature of a vaudeville routine.

Others in the cast are Mary Beth Hughes, Eula Morgan, William Pawley, Lucien Littlefield, Edward Conrad, Gary Breckner, Mike Frankowich, John Riestand, Eddie Acuff, Mildred Gover, Syd Saylor, Eddie Kane, William Halligan, Frank Orth and Herbert Haywood.

An item of special interest, both to see and to exploit, is the inclusion of the Dempsey-Willard fight films, made at the ring in Toledo in 1919 and worked into the story of the picture in such a way as to belong completely and yet give those who haven't seen them an opportunity to catch up with what went on at that place and time.

Production by Kenneth Macgowan and direction by Archie Mayo make the most of a large amount of material selected for today's market and suitable for all grades of audience.

Running time, 90 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

Two New Complaints Here On Clearance; Total Now 10

(*Continued from page* 1)

J., theatres to seven days. All five consenting companies are named in the complaint.

John Carbone, owner of the Temple, Union City, N. J., seeks an arbitration award entitling him to play day-and-date with the Summit and Roosevelt, Union City, which now have 10 days' clearance over the Temple. The five consenting companies are named.

The clearance complaint of the Andora Amusement Co., Plainfield, N. J., against all five distributors has been set for hearing at the local board here on May 9, and the clearance complaint of the Lyric Theatre, Oyster Bay, L. I., against Paramount has been set for hearing May 13.

Milwaukee Hearing Adjourned

MILWAUKEE, April 24.—The clearance complaint of Evansville Theatres, Inc., was adjourned to April 29 at the end of a second day of hearing at the local board today.

Crescent Answers U. S. on Sudekum

NASHVILLE, April 24.—Answers to certain Government interrogatories in the anti-trust suit against the Crescent Amusement Co. here, which were filed today by Muscle Shoals Theatres, a defendant, and by Louis Rosenbaum, a partner in the Northern Alabâma Theatre group, maintain that Tony Sudekum of Nashville, Crescent president, has "never undertaken any executive duties in connection with Muscle Shoals Theatres."

Rosenbaum's answer stated he had sometimes discussed a given contract with Sudekum, that Crescent was at one time a large owner in the partnership, but that Rosenbaum has been the sole manager of both the partnership of Muscle Shoals Theatres and Muscle Shoals Theatres, Inc., which was dissolved in 1937.

U A Regional Meet to Start Here Monday

United Artists home office executives and sales staffs of six of the company's Eastern branches will attend the first of the five new season's regional sales conventions at the Waldorf-Astoria here Monday and Tuesday.

The home office contingent will consist of Arthur W. Kelly, vice-president in charge of distribution, who will preside; Harry L. Gold, vice-president and Eastern general sales manager; Haskell M. Masters, Western general sales manager; Harry D. Buckley, vice-president; Paul Lazarus, contract manager; Walter Gould, foreign manager; Monroe Greenthal, advertising and publicity director; David E. Weshner, exploitation director; Albert Margolies, publicity director; Phil Dow, Seymour Poe, Samuel Cohen, Len Daly, Charles Steele and N. A. Thompson.

Eastern Delegation

Heading the Eastern sales delegation will be Arthur Silverstone and John J. Dervin, district managers; and Moe Streimer, special home office representative.

The New York exchange will be represented by Clarence Eiseman, manager; David Burkan, Samuel Rifkin, Sol Edwards, Lawrence Brown and Ed Mullen; Philadelphia: Harry G. Bodkin, manager; Morton Magill, Saul Krugman, Horace Wright and Elizabeth McCaffrey; Boston: A. I. Weiner, manager; George Hager, Joseph Croman, Herbert Schaefer, Nathan Ross and Joseph Carroll.

Other Exchange Groups

From the Washington exchange will come Fred A. Rohrs, manager; Mark N. Silver, Fred M. Sandy, Richard Harrity and Elmer McKinley; from Buffalo: Sid Lehman, manager; M. V. Sullivan, Jr., Harold Sugarman and J. A. Bykowski; from New Haven: Lou C. Wechsler, manager; Lewis Ginsburg and Mary O'Brien.

United Artists producers' representatives who will attend include Steven Pallos, Morris Helprin, Emanuel Silverstone, Lowell Calvert, Harry Kosiner, J. J. Milstein, Louis Hyman, Fred McConnell, Edward Peskay and David Griesdorf.

'Flame' Gets Welcome At Premiere in N. O.

NEW ORLEANS, April 24.—"The Flame of New Orleans," Universal picture, was given a "homecoming" party tonight with civic and industry people turning out to welcome a host of Hollywood celebrities here to attend the premiere of the film at the Orpheum Theatre. Among these were Bruce Cabot, Gene Murphy, Roland Young, Joseph Pasternak, Hugh Herbert, Mischa Auer, Andy Devine, Helen Parrish, Evelyn Ankers and Peggy Moran, besides Rene Clair, director, and Rudy Mate, cameraman. Thousands turned out to watch the festivities at the theatre. Newspapers devoted large space to the events, including luncheon besides a charity dance at the Roosevelt Hotel, among others.

99 BIG CIRCUITS ARE USING IT 100%

IN the short period of four months, Product Digest Binders in quantities of from 1 to 423 have been purchased by over 300 Circuits operating in the United States and Canada.

Ninety-nine Circuits have already purchased Binders for all their Theatre Managers, Booking and Publicity departments.

Again—Motion Picture Herald proves high reader service by the unanimous acceptance of its new section—Product Digest.

PRODUCT DIGEST ▪ ▪ ▪ ▪ THE CATALOGUE OF FILM MERCHANDISE

The following circuits have bought binders for *all* of their theatre managers so they can file and use Product Digest.

ILLINOIS AND INDIANA THEATRES	Chicago
IDEAL AMUSEMENT COMPANY	Johnstown, Pa.
INLAND THEATRE COMPANY	Yakima, Wash.
INTERSTATE THEATRE CIRCUIT	Dallas
ROBB AND ROWLEY THEATRES	Dallas
JEFFERSON AMUSEMENT COMPANY	Beaumont
CLARENCE KAIMANN THEATRES	St. Louis
KERASOTES THEATRES	Springfield, Ill.
GRIFFITH AMUSEMENT COMPANY	Dallas
GRIFFITH AMUSEMENT COMPANY	Oklahoma City
GRIFFITH AMUSEMENT COMPANY	Kansas City, Mo.
MORT SINGER THEATRES	Chicago
RKO THEATRES	New York City
LOEW'S, INC.	New York City
HARRY HECHT THEATRES	Passaic, N. J.
HUISH THEATRE ENTERPRISES	Salt Lake City
HUNTS THEATRES	Wildwood, N. J.
ESSANESS AMUSEMENT COMPANY	Mt. Vernon, Ky.
BENJAMIN T. PITTS THEATRES	Fredericksburg, Va.
E. A. LIGHTMAN THEATRES	Washington, D. C.
A J B THEATRES	Chicago
ALGER THEATRES	LaSalle, Ill.
GREGORY ALLIANCE THEATRE CORP.	Chicago
ANSELL BROTHERS	St. Louis, Mo.
HARRY BALABAN THEATRES	Chicago
BALABAN AND KATZ	Chicago
ALEX GOUNARIS CIRCUIT	Mobile, Ala.
RUFFIN AMUSEMENT COMPANY	Covington, Tenn.
SIMANSKY AND MILLER	Chicago
REINHEIMER CIRCUIT	Chicago
SMALLEY CIRCUIT	Cooperstown, N. Y.
DIXIE THEATRE SERVICE CORP.	New Orleans
RAYBOND THEATRES	New York City
EGYPTIAN THEATRES	Harrisburg, Ill.
ACME THEATRES CO.	Birmingham, Ala.
ESKIN THEATRES	Milwaukee
ESSENESS CIRCUIT	Chicago
FAIN THEATRES	Leesburg, Ill.
PIRTLE CIRCUIT	Jerseyville, Ill.
WOMETCO THEATRES	Miami
CHAKERES THEATRES INC.	Springfield, Ohio
BUTTERFIELD CIRCUIT	Detroit
UNITED DETROIT THEATRES	Detroit
ASSOCIATED THEATRES	Detroit
STAFFORD THEATRES	Caro, Michigan
PUBLIX GREAT STATES	Chicago
FABIAN ALBANY THEATRES	Albany, N. Y.
WARNER CIRCUIT MANAGEMENT CORP.	Albany, N. Y.
WARNER CIRCUIT MANAGEMENT CORP.	Cleveland
WARNER CIRCUIT MANAGEMENT CORP.	Chicago
WARNER CIRCUIT MANAGEMENT CORP.	Milwaukee
OSCAR LAM THEATRES	Rome, Ga.
H. S. LEON THEATRES	Dallas
DELFT THEATRES, INC.	Iron River, Mich.
DIPSON THEATRES	Buffalo
GEO. BAKER THEATRES	Kansas City, Mo.
CHAS. POTTER CIRCUIT	Kansas City, Mo.
CATARACT THEATRE CORP.	Niagara Falls
WESTLAND THEATRES	Pueblo, Colo.
COLISEUM THEATRE CIRCUIT	Kelchikan, Alaska
COMMONWEALTH AMUSEMENT CO.	Kansas City
CONSOLIDATED AMUSEMENT CO., LTD.	Honolulu
CUMBERLAND AMUSEMENT CO.	McMinnville, Tenn.
FRED COLEMAN CIRCUIT	East Point, Ga.
FANCHON AND MARCO	St. Louis
ST. LOUIS AMUSEMENT COMPANY	St. Louis
FAY'S THEATRES	Providence
PARAMOUNT ENTERPRISES	Miami
SPARKS FLORIDA STATE THEATRES	Lakeland, Fla.
L. A. STEIN THEATRES	Jacksonville, Fla.
FOX MID WEST	Kansas City, Mo.
FOX WISCONSIN	Milwaukee
FOX WEST COAST	San Francisco
FOX WEST COAST	Los Angeles
FOX INTERMOUNTAIN	Denver
FRIENDLY THEATRES	Kansas City, Mo.
LUCAS AND JENKINS	Atlanta
WILBY-KINCEY	Atlanta
NORTH CAROLINA THEATRES	Charlotte, N. C.
NAUMKEAG AMUSEMENT CO.	Salem, Mass.
RIALTO CIRCUIT	Atlanta, Ga.
RIO-APPLETON THEATRES	Appleton, Wisc.
COLLINS THEATRE CIRCUIT	Toccoa, Ga.
BUFFALO THEATRES CO.	Buffalo, N. Y.
DIXIE OPERATING CO.	Chattanooga
ASSOCIATED THEATRES	Cleveland
MALCO THEATRES	North Little Rock, Ark.
MALCO THEATRES	Memphis
MARTIN THOMPSON THEATRES	Hawkinsville, Ga.
METROPOLITAN CIRCUIT	Port Richmond, N. Y.
WARNER SAXE THEATRES	Milwaukee
MONROE AMUSEMENT CO.	Rochester, N. Y.
STANDARD THEATRES	Oklahoma City
FRISINA CIRCUIT	Springfield, Ill.
STRAND ENTERPRISES	Memphis, Tenn.
UNITED THEATRES	New Orleans
VALLEY ENTERPRISES	Harrisonburg, Va.
WATERS THEATRES COMPANY	Birmingham
WISPER AND WETSMAN	Detroit

WGN Resigns From A.N.P.A. Air Committee

WGN, Chicago, one of the key stations in the Mutual network and owned by the *Chicago Tribune,* has resigned from the Newspaper Radio Committee formed this week to protect the rights of newspapers interested in radio.

In the letter of resignation, E. M. Antrim, WGN official, stated that "there is not sufficient assurance that the large fund of $200,000 to be collected from the newspapers will be devoted exclusively to the preparation and presentation of the issues involved, and that there is not sufficient safeguard against intermingling of these issues with other and unrelated issues and activities in which the newspaper group, as such, have no interest."

Antrim asserted "that the issues involved in newspaper ownership of broadcasting stations have not been prejudged" by the FCC.

Apparently referring to Mutual's stand on the FCC monopoly report, Antrim stated that arguments on newspaper ownership "should be gathered and presented exclusively on the basis of their merits, without regard to whether such facts and arguments help or hurt the cause of other radio interests before the Commission, and that with such preparation and presentation the newspaper group should be able to convince the Commission not only that there is no basis for any charge of monopoly against newspaper owners of stations, but also that such ownership has served, and will continue to serve, the public interest.

'Nice Girl' $10,000 Leads in Montreal

MONTREAL, April 24.—"Nice Girl?" in its first week here led local theatres with $10,000 at Loew's.

Estimated receipts for the week ending April 17:

"The Son of Monte Cristo" (U. A.)
ORPHEUM — (1,000) (30c-43c) 7 days. Gross: $6,500. (Average, $4,000)

"Nice Girl?" (Univ.)
LOEW'S — (2,900) (30c-40c-60c) 7 days. Gross: $10,000. (Average, $7,000)

"Road to Zanzibar" (Para.)
PALACE — (2,200) (25c-45c-65c) 7 days. Gross: $6,800. (Average: $7,000)

"Andy Hardy's Private Secretary" (M-G-M)
"The Phantom Submarine" (Col.)
CAPITOL — (2,800) (25c-40c-55c) 7 days. Gross: $6,000. (Average, $4,000)

"The Trial of Mary Dugan" (M-G-M)
"Free and Easy" (M-G-M)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,200. (Average, $2.500)

Shuford to RKO on Special Campaign

Stanley Shuford, former Warners' Eastern advertising manager, and more recently associated with Lord & Thomas advertising agency, has been placed in charge of a new special campaign division of the RKO advertising and publicity department by S. Barret McCormick, head of the department.

McCormick stated the new post has been created to provide added promotional services for the company's more important new productions.

Preview of 'Kipps' In Military Zone

London, April 24. — The British press will preview the 20th Century-Fox film, "Kipps," during the first week in May at Folkstone, locale of the story, and a restricted military area in the front line of British island defense. The film will be shown at the Central Theatre, with Francis L. Harley, 20th-Fox managing director in England, as host. An opening in London's West End will follow.

WB Extends Phila. 'Defense Matinees'

PHILADELPHIA, April 24.—Warner Theatres circuit here will inaugurate special national defense workers' matinees and midnight performances at eight additional neighborhood houses for the convenience of workers at plants engaged in defense projects.

Started earlier this month at the Lindy, early afternoon matinees will begin next week at the Forum, Liberty, Midway, Richmond and Kent. Shows will be given nightly at 12:30 A.M. at the Broadway; on Wednesdays at 11:30 P.M. at the Palace, and on Fridays at 1:30 A.M. at the Benn.

Performances have been arranged to conform with paydays and working schedules at the plants. Warners' Savoy and the independent News have been operating all night because of men employed in defense industries up state. In Allentown, Al Myers, manager of the Ritz, has also arranged "defense workers' matinees."

'Dugan' and Heidt $22,000 in Capital

WASHINGTON, April 24.—Business was uniformly good over Easter, with the tourist season in the Capital at its peak. The week's leader was Loew's Capitol, with $22,000, where Horace Heidt's orchestra was the stage attraction, with "The Trial of Mary Dugan" on the screen.

Estimated receipts for the week ending April 16-17:

"The Devil and Miss Jones" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 7 days. Gross: $13,000. (Average, $10,000)

"The Great Lie" (W. B.)
WARNER'S EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Lorraine & Rognan, Ben Yost's Continentals, the Hellmans, Roxyettes. Gross: $19,300. (Average, $15,000)

"The Trial of Mary Dugan" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days On stage: Horace Heidt and his orchestra. Gross: $22,000. (Average, $15,500)

"The Mad Doctor" (Para.)
"Monster and the Girl" (Para.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days. Gross: $6,700. (Average, $4,500)

"Men of Boys Town" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days, 2nd week. Gross: $11,500. (Average, $11,000)

"The Great Dictator" (U. A.)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days. Gross: $6,500. (Average, $4,000)

Drops Chance Games

HAMILTON, O., April 24.—Beginning May 13, chance games will be discontinued at the Northio Palace, and conducted solely at the Rialto, sister house. The Palace recently inaugurated Country Store, as a Thursday-night feature.

Ampa Plans Dinner To Honor Will Hays

Sponsorship of a dinner and dance as a testimonial to Will H. Hays, president of the M. P. P. D. A., to mark his 20th anniversary as head of that organization was suggested by the retiring officers of Ampa in their final report to the membership yesterday.

The report cites that there were 44 new members admitted during the year, bringing the membership total to 148, of which 136 have paid their dues.

Outside of the $125 cleared as profit on the last Ampa luncheon which was in honor of Ned E. Depinet, and some personal contributions, the profit from the organization's Silver Jubilee dinner-dance, the report states, amounts to $2,278.96, of which $1,391.46 is cash in the bank, and $887.50 is to be collected.

At present, exclusive of the relief fund, the organization, the report states, has $510.64 cash in the bank, and $818.14 assets over liabilities.

Vincent Trotta, art director of Advertising Accessories, yesterday became president of Ampa for 1941-'42, succeeding Leon Bamberger of RKO, as the formal election was held. The slate, disclosed previously, was unopposed and, with one exception, all those nominated were elected. The exception was Martin Starr, who withdrew as secretary. Blanche Livingston of RKO Theatres was elected to the post.

Welles Sued Over Contract on Tickets

Orson Welles, John Houseman and Wellman, Inc., were named defendants yesterday in a suit for an injunction and $50,000 damages filed in N. Y. Supreme Court by the Federated Theatre Party Service. Defendant are charged with breaching a contract allegedly made in March, 1941, which gave the plaintiff the right to promote the sale of tickets for theatre parties for the play, "Native Son."

Col. Sets Second In 'Forum Series'

Columbia has signed Major George Fielding Eliot, *New York Herald Tribune* military writer; Ralph Ingersoll, editor and publisher of *PM;* Linton Wells, CBS commentator, and Wythe Williams, MBS commentator, for the second of its "International Forum" series of one-reel films. The title will be "Can England Be Invaded?" William Rowland will produce.

Mutual to Decide Position on Ascap

Seventeen Mutual directors, stockholders and members of the operating board will start a meeting at the Hotel Ambassador this morning to consider the network's position with reference to Ascap. Two attorneys will also be present.

Fay's Changes Policy

PROVIDENCE, April 24.—Fay's Theatre, one of the Edward M. Fay houses here, resumes its Summer policy this week, discontinuing vaudeville and pictures in favor of double feature action bills. House scale drops to a 35-cent top, tax included.

First FM Rate Card Is Issued By N.H. Station

The first national rate card to be issued by an FM station has been printed by W39B, Yankee and Colonial Network station, located at Mount Washington, N. H. Basic rates are $50 per hour between 6 and 11 P.M. daily, and $25 per hour between 8 A.M. and 6 P.M. One-minute transcriptions or 125-word announcements will cost $5 during evening hours and half that during the day.

Agency discounts of 15 per cent are provided and frequency discounts range from net up to 26 times to 15 per cent for 208 or more times. Programs or announcements running continuously for 52 weeks earn an additional rebate of 10 per cent. The American Network is listed as exclusive national representative. W39B operates with 1,000 watts but has a construction permit for 5,000. No contract will be accepted for a period longer than one year.

Don Lee Orders FM Transmitter

HOLLYWOOD, April 24.—Don Lee placed an order today with General Electric for a 50,000-watt FM transmitter to be located atop Mt. Lee. A 1,000-watt transmitter has also been ordered to be used until the larger unit is ready. When the station, which will be called K45LA, goes on the air, special FM programs, Don Lee and Mutual network shows and program material from KHJ will be used.

'Boys Town' Hit in Buffalo at $15,600

BUFFALO, April 24.—An all-around good week here found "Men of Boys Town" and "Dead Men Tell" a smash $15,600 at the Great Lakes. "Play Girl" and Earl Carroll's Vanities at the Twentieth Century were good for $16,700.

Estimated receipts for the week ending April 19:

"That Night in Rio" (20th-Fox)
"The Penalty" (M-G-M)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $10.800. (Average, $12.000)

"Men of Boys Town" (M-G-M)
"Dead Men Tell" (20th-Fox)
GREAT LAKES — (3,000) (30c-55c) 7 days. Gross: $15,600. (Average, $7,500)

"Footsteps in the Dark" (W. B.)
"Las Vegas Nights" (Para.)
HIPPODROME—(2,100) (30c-50c) 7 days. Gross: $4.600. (Average, $6,800)

"Play Girl" (RKO)
TWENTIETH CENTURY—(3,000) (30c-35c-55c) 7 days. Earl Carroll's Vanities on stage with Bert Wheeler, Hank Ladd, Bob Williams and Red Dust, the Biltmorettes, Reginald Craig, Beryl Cameron, Giorgio, Francetta Malloy and the Earl Carroll Girls. Gross: $16.700. (Average, $7,500)

"Nice Girl?" (Univ.)
"Dark Streets of Cairo" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $11,200. (Average, $6,300)

Exhibitor Dies at 56

PROVIDENCE, April 24.—Alton C. Emery, 56, veteran local theatre owner, died last night at his home in Pawtucket. Proprietor of the Hope Theatre, Emery, in partnership with his brother, Burton A. Emery, in past years had operated the Emery Majestic, now the Majestic Theatre, and the Emery Theatre, now the Carlton.

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L. 49. NO. 82 NEW YORK, U. S. A., MONDAY, APRIL 28, 1941 TEN CENTS

Television for Theatres Will Cost $30,000

RCA Plans No Program Service, Joyce Says

RCA theatre television receivers will cost $30,000, Thomas F. Joyce, vice-president in charge of sales for RCA Manufacturing Co., declared at a press conference on Friday. The company will begin to market such equipment after May 9 the date of a special demonstration, but will provide no program service, Joyce declared.

Joyce estimated that there are approximately 500 theatres in the area to be served by television in the next "five to 10 years" which will be in a position to make the indicated investment in television equipment.

The stated costs are based on production of about 50 units a year, and if the demand increased to warrant 500

(*Continued on page* 8)

Republic Will Finish Schedule by Aug. 11

Republic will complete its entire lineup of 58 features and westerns for the 1940-41 season by August 11, it is officially stated.

The company already has delivered 35 pictures, and has scheduled definite and approximate release dates on the additional 23 pictures.

Of the remaining 23, definite release dates have been set as follows:

(*Continued on page* 4)

Report Sisk, Marcus Resigned from RKO

Hollywood, April 27.—Robert F. Sisk and Lee Marcus, producers for RKO, were reported to have resigned over the weekend. Marcus formerly was assistant production manager at the studio.

No Successor For O'Connor at Present

No successors to John J. O'Connor, vice-president and general manager of RKO Theatres, and Fred Meyers, head film buyer for the circuit, who resigned last Thursday, will be named for the time being, company officials indicated over the weekend.

Gov. Stassen Delays Signing Minn. Anti-5-Block Measure Until Today

Minneapolis, April 27.—Gov. Harold E. Stassen is delaying signing the newly enacted blocks-of-five bill to give consideration to views reported to have been presented to him by the Department of Justice and the five companies consenting to the New York case decree.

Gov. Stassen previously had referred the bill to Attorney Generald J. A. O. Burnquist as a matter of routine. Reports that the Attorney General had disapproved the bill on constitutional grounds were denied yesterday by his office.

In reply to inquiries, Gov. Stassen on Saturday let it be known that he would hold the bill until tomorrow. If not signed or vetoed, it will automatically become law at midnight tomorrow.

U.S. May Drop 'Little Three' Trust Actions

Intimations that the Government may move for dismissal of the "Little Three"—Columbia, United Artists and Universal—from the pending anti-trust suits at Buffalo, Nashville and Oklahoma City upon completion of a study of their answers to Government interrogatories were given to the Federal court at Buffalo by Seymour Simon, Assistant to the Attorney General, last week, it has been learned.

Simon was reported to have informed Federal Judge John Knight at Buffalo that the Government regarded the "Little Three" as "secondary defendants" in the suits against the Schine, Crescent and Griffith circuits, and that, if their

(*Continued on page* 4)

'U' to Complete Half of '41-'42 Films by Sept.

Universal's new season production is so far ahead that the company is expected to complete half of its 1941-'42 program by Sept. 1. This is revealed in a letter to stockholders sent over the weekend by J. Cheever Cowdin, chairman.

J. Cheever Cowdin

The Cowdin report further reveals that of the 56 features and four serials which were scheduled for this season, all but four are completed. Production

(*Continued on page* 4)

U.S. Considers 5% Rentals Tax to Bring $12,000,000

Washington, April 27.—Readoption of the World War tax on the lease of motion picture films which, at a rate of five per cent of the gross rental, is estimated to return a revenue of $12,000,000 a year was recommended over the weekend by Colin F. Stam, chief of staff of the joint Congressional committee on internal revenue taxation.

This would be in addition to the Treasury recommendation for a reduction of the admission tax exemp-

(*Continued on page* 4)

Industry Will Aid '41 Jewish Appeal

Barney Balaban, David Bernstein and Maj. Albert Warner will be hosts at a special luncheon to be held on May 9 at the Hotel Astor on behalf of the Greater New York Committee for the 1941 campaign of the United Jewish Appeal.

An amusement division has been organized and 100 members of the amusement industries, the organization

(*Continued on page* 4)

N.L. Nathanson Status Up at F.P.C. Meeting

Session With Para. Heads Will Resume Friday

Toronto, April 27.—The question of N. L. Nathanson's continued association as head of Famous Players Canadian Corp., Ltd., and his acquisition of theatres in Canada were discussed at the annual meeting of the corporation here which adjourned yesterday, it was reliably reported.

Whatever conclusions were reached were not made known by officials approached on the matter since the meeting will be resumed next Friday, at

(*Continued on page* 4)

Paramount Clears $7,633,130 in 1940

Paramount's combined consolidated earnings and share of undistributed profits of partially owned companies for 1940 amounted to $7,633,130, the company announced on Friday. The audited report compares with an advance estimate of $7,617,000 made by the company on Feb. 9.

Of the total, $1,231,000 represented Paramount's share of undistributed earnings of partially owned companies. The result compares with consolidated earnings of $2,737,533, exclusive of $1,117,000 of undistributed earnings of partially owned companies, for 1939.

Cash and marketable securities at the end of the year amounted to $12.-

(*Continued on page* 6)

Goldwyn to Release Two Through RKO

Samuel Goldwyn has signed a releasing deal with RKO, it was announced by George J. Schaefer, RKO president, in Hollywood on Saturday. Goldwyn will release two pictures under the transaction. The first will be "The Little Foxes," with Bette Davis starred. The second will be a Gary Cooper picture. Goldwyn was represented in the negotiations by Attorney Leo Spitz.

UA Postpones Its Regional Meetings

The first of United Artists' five regional sales meetings, which was scheduled to open here today, was postponed by the company on Friday because of inability to complete negotiations with producers on new season's product in advance of the meeting.

Maurice Silverstone, United Artists chief executive, who is now in Hollywood conducting the negotiations with producers, stated that at least one new actor-producer and one new actress-producer will be represented in the company's release schedule for the new season and had requested a postponement of the sales meeting until they had had time to complete their programs.

Arthur W. Kelly, United Artists vice-president in charge of distribution, left for the Coast by plane last night to confer with Silverstone on the additions to the company's schedule. New dates for the regional sales meetings will be set by Kelly following his conferences with Silverstone.

Prior to his departure, Kelly said that United Artists would continue its established policy of selling its pictures individually. It had been reported from Hollywood previously that the company had contemplated block selling for a large portion of its new season's product but that the plan had to be abandoned due to the fact that it lacked the approval of several of the company's leading producers.

To Fight Daylight Time in Louisville

LOUISVILLE, Ky., April 27.—Louisville's Board of Aldermen has approved daylight saving time here by a vote of eight to three at a special session, but Col. Henry J. Stites, attorney representing theatre interests and others opposing the change, said he will institute a court test immediately.

The Aldermen acted despite a state law prohibiting Louisville from taking such action without approval of the Governor. Gov. Keen Johnson refused earlier in the week to approve the change.

Indiana Town Changes Time

CHARLESTOWN, Ind., April 27.—Officials in this city announced they would adopt daylight saving time regardless of whether Louisville, Ky., New Albany, Ind., or Jeffersonville, Ind., put it into effect.

Personal Mention

CHARLES EINFELD, director of advertising and publicity for Warners, arrives today from the Coast.

•

STUART BENJAMIN, attorney, will report May 6 for military training.

•

MARK SHERIDAN, 20th Century-Fox head booker in Memphis, is the father of a daughter.

•

DR. J. B. FISHMAN, general manager of Fishman Theatres, New Haven, returned over the weekend from Miami Beach with his family.

•

SAM N. WHEELER, 20th Century-Fox manager in Washington, was a New York visitor late last week.

WILLIAM J. KUPPER, Western division manager of 20th Century-Fox, will leave for Los Angeles the end of this week.

•

ALFRED CORWIN of the 20th Century-Fox foreign department leaves Thursday to enter the Army.

•

DAVID KAUFMAN of Loew-Poli theatres in New Haven has returned there from a New York vacation.

•

NICK MARLEMES, operator of the Roxy, New Britain, Conn., is returning by car from Florida.

•

HILARY HOWES of the Capitol, St. John, N. B., has enlisted in the Canadian army.

Roosevelt's Return To Trade Uncertain

HOLLYWOOD, April 27.—James Roosevelt's stay in the U. S. Marine Corps is indefinite, pending the present emergency, and his business plans are indefinite, his mother, Mrs. Eleanor Roosevelt, said here late last week.

It is uncertain whether he will remain in the film business, she indicated. "He will stay in the Marine Corps as long as they need him, and he has forgotten all about business activities," she declared.

Capt. James Roosevelt arrived in Manila, P. I., late last week, according to dispatches, and was scheduled to continue by clipper to Hong Kong, going from there to Chungking, China. He has been assigned to that area for about two months, it is reported.

Fellman Named W. B. Buyer in Cleveland

Nat D. Fellman of the Warner Theatre home office has been appointed head film buyer and booker in the Cleveland zone, effective May 8. He will succeed Saul Bragin, who will remain with the company in another post, it is understood.

De Sylva Due Today

B. G. De Sylva, head of Paramount production, is due here from the Coast today for a week of home office conferences.

PUBLIC SALE
16 MILLIMETER
and SUB-STANDARD NON-THEATRICAL RIGHTS
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EDUCATIONAL FILMS CORPORATION OF AMERICA, Bankrupt
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Library of approximately 730 Sound and Silent One and Two Reel Motion Pictures consisting of Comedies, Educational, Instructional, Industrial, Pedagogical, Novelty and Miscellaneous Short Subjects.

Sale to be held before Honorable Peter B. Olney, Referee in Bankruptcy, Room 1601, United States Court House, Foley Square, New York City, New York.

Date of Sale — Monday May 5th, 1941 — at 2 P. M.

A copy of the catalogue and the terms of sale may be inspected at the office of the Referee, or may be obtained by writing to SAMUEL P. ADELMAN, 261 Broadway, New York City, New York.

RKO Heads Attend Dinner for Kranze

Ned E. Depinet, A. W. Smith, Jr., Robert Mochrie, Robert Wolff and M. G. Poller, RKO home office executives, and John Wood of March of Time will attend the dinner in Albany tonight for B. G. Kranze, former RKO branch manager there, who has been transferred to Cleveland as branch manager. The dinner will be held at the Kenmore Hotel.

Smith will act as toastmaster instead of Si Fabian, originally scheduled, who is unable to attend because of the death of his father last week. The home office delegation will return here tomorrow.

Oust Mexican Police As Party's Aftermath

MEXICO CITY, April 27.—Police Captain Jose Martinez, battalion commander, and Major Alvaro Calero, head of the police radio patrol, were dismissed by Police Chief General Miguel Z. Martinez after complaints by the Association of Mexican Picture Producers, the press and exhibitors, over the conduct of the police during the recent visit here of Hollywood players.

It was complained that the police were excessively rude at a party for the visitors, they accepted bribes to admit the public to a picnic, that reporters and photographers were manhandled, and that the radio patrol police were generally inefficient.

Netter Visiting South

Leon Netter, Paramount theatre executive, left over the weekend for Miami, where he will confer with E. J. Sparks and S. A. Lynch. From there he will confer in Atlanta with Arthur Lucas and W. K. Jenkins, and is expected to return to the home office on May 5.

Rites Held for Rolston

NEW HAVEN, April 27.—Funeral services were held at Port Jefferson, Conn., yesterday for B. H. Rolston, 68, pioneer Connecticut exhibitor, who died Friday. He is survived by his widow and one daughter. He built the Strand Theatre here in 1919.

Ottawa Veteran Dies

OTTAWA, April 27.—William R. Clarke, one of the oldest employes in the Ottawa industry, is dead. He retired recently owing to ill-health.

Defendant Theatre Wins Product Suit

Minneapolis, April 27.—Federal Judge Robert C. Bell on Friday ordered a directed verdict in favor of the State Theatre Corp., White Bear Lake, Minn., defendant in a $75,000 damage suit brought by the White Bear Theatre Corp. The plaintiff had charged conspiracy in restraint of trade, claimi[illegible] that the State company h[illegible] monopolized product so that the White Bear Theatre Corp. was unable to stay in business. Both are independents.

Ben Hicks, Veteran, Dies Here Suddenly

Captain Ben Hicks, film industry pioneer, died suddenly of a heart attack late last week while visiting at the town residence of Jack Cohn, Columbia vice-president.

Hicks is reported to have been with the old Mutual Film Co. and to have handled the European distribution of the early Charlie Chaplin pictures for that company. A native and resident of London for many years, he built and acquired a number of theatres there which were later sold to Paramount.

Funeral services were held yesterday at Park West Memorial Chapel. Hicks is survived by his widow, Colette, and a brother, Simon Hicks.

Orders Tax Payment By John Barrymore

LOS ANGELES, April 27.—Bankruptcy Referee Ernest R. Utley has ordered $25,000 paid on John Barrymore's 1938 Federal income tax and $5,000 on his state income tax, as the result of the accumulation of $33,000 in Barrymore's funds. The referee also ordered that $25,000 be set aside from future earnings for Federal income taxes. He granted the actor $700 weekly allowance from his earnings.

Resigns Circuit Post

BUFFALO, April 27.—Robert T. Murphy has resigned as city manager in Niagara Falls for Shea Theatres, headed by Vincent McFaul. Murphy has not as yet determined his future plans. No successor has been named as yet.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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It's later than you think!

These are fast moving times.

Times of high nervous tension. People are hungry for entertainment. They need amusement...change. They have jobs and money to spend. The man who can spot a trend is the man who makes the extra profits.

The trend is toward display... clean... fresh... colorful display. The retail merchant knows that. He's taken a page out of our book and he's made money doing it. *You* showed the world the way. Steal back your own thunder... make the lobbies sing again... sell again. Make them come alive with showman's stuff. *DON'T let the picture die.* Give it a real ride with advertising... glamour advertising.

It's later than you think..but not too late to bring them in if you use the Three Best Sellers in the Business.

NATIONAL *Screen* SERVICE • ADVERTISING ACCESSORIES, inc.
NATIONAL *Screen* ACCESSORIES

U.S. May Drop 'Little Three' Trust Actions

(Continued from page 1)

answers to the Government's interrogatories indicated that the Department of Justice was not justified in continuing them as defendants they would be dismissed.

The anti-trust suit pending in Federal court here, however, would be continued against them. The three regional suits would be prosecuted against the defendant circuits alone, if the three production-distribution companies were dismissed.

In the course of the Buffalo hearing, Judge Knight also was told by Willard S. McKay, counsel for the Schine circuit, that the Government had rejected the circuit's offer to sign a consent decree similar to that given the "Big Five" in the New York anti-trust suit.

[The Government's rejection of the Schine offer was reported in *Motion Picture Daily* on April 14.]

Simon also was reported to have indicated to Judge Knight that the Government preferred to try the Schine case ahead of the other pending anti-trust suits, of which only the Nashville case has been placed on the calendar so far, being now scheduled for trial on July 7. The court informed Simon that a trial in Buffalo would not be possible before September, and gave the Government representative two weeks in which to inform the court which case would be tried first.

Republic Will Finish Schedule by Aug. 11

(Continued from page 1)

"Sis Hopkins," April 12; "Rookies on Parade," April 17; "Lady from Louisiana," April 22; "The Singing Hill," April 26; "A Gay Vagabond," May 1; "Country Fair," May 5; "Sheriff of Tombstone," May 7; "Desert Bandit," May 12; "Angels With Broken Wings," May 15; "Saddlemates," May 24.

Approximate release dates have been set as follows: "Under Fiesta Stars," June 3; "Puddin' Head," June 16; "Milkman's Matinee," June 18; "Nevada City," June 20; "Kansas Cyclone," June 24; "Down Mexico Way," July 7; "Ice Capades," July 17; "Gaucho of Eldorado," July 24; "Rags to Riches," July 31; "Outcasts of Poker Flats," Aug. 5; "Doctors Don't Tell," Aug. 6; "Old Faithful," Aug. 9, and "Ten Nights in a Bar Room," Aug. 11.

Form Exhibitor Unit In South Carolina

COLUMBIA, S. C., April 27.—Theatre owners of this state have formed the South Carolina Theatre Owners Association, with R. R. Bryant of Rock Hill elected as first president. Other officers are: Lee Little and Boyd Brown, vice-presidents; Warren Irvin, M. F. Schnibbin, A. I. Mason and J. C. Long, directors. A secretary and treasurer will be elected later.

U.S. Considers 5% Rentals Tax to Bring $12,000,000

(Continued from page 1)

tion to nine cents, which is estimated to bring $55,000,000 a year.

[Industry experts in New York said that the World War rental tax was 15 *cents on each reel of approximately* 1,000 *feet, collected from the exhibitor by the distributor, who remitted to the Government.]*

There is a possibility, too, according to observers, that a seating tax may be incorporated in the new revenue bill if further sources of income are sought to compensate for the scaling down of individual income tax rates, which the House Ways and Means Committee is expected to order.

The committee will start hearings tomorrow on the proposed bill with an open break between the Treasury and the joint Congressional committee. The House committee was understood to be more sympathetic to Stam's recommendations than to those of the Treasury.

Countering Treasury suggestions for high income taxes, Stam presented alternative proposals under which the income taxes would be lowered and additional consumption levies imposed, including the film rental tax.

Another $78,000,000 would be raised under the joint committee's program by an upward revision of the postage rates for second-class matter.

Other taxes in the list included one of $5 each annually for the use of automobiles, yachts and airplanes, exclusive of those operated by state or Federal governments; an unspecified tax on parimutuels and a corresponding tax on bookmakers; a one-cent levy on electric light bulbs and a 5 per cent tax on the sale of slot machines and other coin-operated devices.

Industry Will Aid In Jewish Appeal; Luncheon May 9

(Continued from page 1)

announced, have been invited to serve on a reception committee for the luncheon. The guest speaker will be Dr. Abba Hillel Silver, national chairman.

Organizations benefiting through the United Jewish Appeal are the Joint Distribution Committee, the United Palestine Appeal and the National Refugee Service. Also attending the luncheon will be William Rosenwald, co-chairman of the Greater New York Committee.

Reservations for the luncheon, it has been announced, may be made through Balaban, at his offices in the Paramount Building. He is treasurer of the committee.

The United Jewish Appeal, the announcement states, "is engaged nationally in a war emergency campaign to provide funds for furnishing the necessities of life to upwards of a million Jews in Nazi-dominated Europe; continuing Palestine as a major haven of refuge and as an ally of Great Britain in the fight for democracy in the Middle East and maintaining a planned program for the rehabilitation, resettlement and integration of refugees in the United States."

Pa. Will Censor All Foreign Newsreels

PHILADELPHIA, April 27.—Foreign newsreels, even if designed for showing at private gatherings, must be submitted for censorship, it has been announced in a change in regulations by the Pennsylvania State Board of Censors.

The action was an aftermath of the showing of newsreels during a meeting of the Kyffhaeusser Bund recently during which the Nazi flag was cheered and the Statue of Liberty hissed. A German newsreel likewise was shown in Moose Hall for the benefit of the German Seaman's Home.

Peter Kreckman, manager of the North German Lloyd office here, said his office had supplied the reels, obtained through Ufa. Kreckman had been told by the censor board that it was not necessary to submit privately shown newsreels for censorship. Since the episode at the Bund showing, however, was deemed to reflect on the showing of uncensored reels, Kreckman said, he had been told the censor board had decided to censor them hereafter. Local newspapers in reporting the Bund meeting made much ado over the fact that "uncensored" newsreels were shown.

Reopen Conn. Drive-In

MILFORD, April 27. — The 500-car Press Theatre has reopened following modernizing and installation of new seats and projection equipment.

Republic Sets Deal With W. B. Theatres

Republic has closed a 1941-'42 product deal with Warner Theatres for 80 theatres in the Pittsburgh territory, and for 44 houses in the Washington territory. The Pittsburgh deal was concluded by James R. Grainger, Republic president, with Harry Kalmine and Harry Feinstein, representing the circuit. J. H. Alexander and Sam Fineburg worked with Grainger on the deal.

The Washington deal was closed by Grainger and Jack Flax, Republic Washington franchise holder, with John Payette and George Crouch representing the circuit. Grainger returned to New York over the weekend.

Mexican Production Is Showing Promise

MEXICO CITY, April 27.—Production in Mexico is showing definite signs of resuming on a promising scale, as a result of the restoration of confidence, politically and economically, in the country.

For the first time in a long while, producers are able to obtain financing for pictures, and the labor unions are cooperating to a greater extent than before. The studios of Jorge Stahl, closed for nearly two years, have reopened, taken over by Vincente Orona for a series of features.

'U' to Complete Half of '41-'42 Films by Sept.

(Continued from page 1)

has progressed so well that the program for the year has been substantially completed within the over[illegible] budget.

Sales are put at 10,000 contracts, which is described in the report as a new high record for the company.

Earnings of the company for the 17 weeks ended March 1, after providing $205,000 as a reserve to cover Federal income taxes but without providing for excess profits taxes, were $728,280. This is $139,414 above the net profit before Federal taxes for the similar period, 1940.

At a meeting of common stock voting trust certificate holders at Wilmington, last Tuesday, the seven-year employment contracts of the seven senior operating executives were approved by a vote of 461,133 against 5,547, or 98.8 per cent, the report stated.

Nathanson Status Up At F. P. C. Meeting

(Continued from page 1)

which time Paramount officials, including Barney Balaban, president; Neil Agnew, vice-president and General sales manager, and Austin Keough, vice-president and general counsel, will return here from New York.

Announcement was made that Famous Players will redeem all outstanding series "A" first mortgage bonds on June 1, although they do not mature until next year.

J. J. Fitzgibbons, vice-president of Famous Players in charge of theatre operations, sat in with Nathanson on the discussions.

Start Work on Four New Training Films

HOLLYWOOD, April 27.—Darryl F. Zanuck, chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, has announced the start of production of four additional U. S. Army Signal Corps training films.

One on the training of the individual infantry soldier will be started at M-G-M next week. A film on the 240mm. howitzer, showing operating technique, will be made by Paramount, with a unit leaving for location at Fort Bragg, N. C., next Tuesday. A picture on the 60mm. mortar will be made at Republic, and 20th Century-Fox will make one on skiing, starting April 28 at Sun Valley.

Monogram Planning 5 Releases in May

HOLLYWOOD, April 27.—Moving toward completion of the features on its current season's program, Monogram will release five features in May. They include: "House of Mystery," made in England; "The Pioneers," with Tex Ritter; I. E. Chadwick's "Redhead"; "King of the Zombies" and "Silver Stallion," produced by Edward Finney.

'Zanzibar' at $32,000 Hit in Los Angeles

Los Angeles, April 27.—The Paramount, with "Road to Zanzibar," and Phil Harris on the stage, continued to [illegible] the way this week. The theatre grossed $32,000. In its fifth week, "That Hamilton Woman" held up well with $5,500 at the 4 Star.

Estimated receipts for the week ending April 23:

"That Night in Rio" (20th-Fox)
"Jennie" (20th-Fox)
CHINESE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $12,500. (Average: $12,500)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 12th week. Gross: $7,900. (Average, $17,000)
"That Hamilton Woman" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 5th week. Gross: $5,500. (Average, $3,250)
"The Devil and Miss Jones" (RKO)
"Mr. Dynamite" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. "Jones" 2nd week. Gross: $7,200. (Average, $6,500)
"That Night in Rio" (20th-Fox)
"Jennie" (20th-Fox)
LOEW'S STATE — (2,500) (33c-44c-55c-75c) 7 days. Gross: $16,000. (Average, $14,000)
"The Devil and Miss Jones" (RKO)
"Mr. Dynamite" (Univ.)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. "Jones" 2nd week. Gross: $7,500. (Average, $7,000)
"Road to Zanzibar" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Phil Harris. Gross: $32,000. (Average. $18,000)
"The Sea Wolf" (W. B.)
WARNER BROS. (Hollywood) — (3,000) (33c-44c-55c-75c) 7 days. Gross: $9,900 (Average, $14,000)
"The Sea Wolf" (W. B.)
WARNER BROS. (Downtown) — (3.400) (33c-44c-55c-75c) 7 days. Gross: $11,000 (Average, $12,000)

'Boys Town' $8,500; New Haven Is Slow

New Haven, April 27.—"Men of Boys Town," dualed with "Ellery Queen's Penthouse Mystery" at the Loew-Poli took $8,500, and moved to the College for a second week. It was the only theatre to exceed average business.

Estimated receipts for the week ending April 24:

"That Night in Rio" (20th-Fox)
"The Bank Dick" (Univ.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,100. (Average, $2,700)
"Men of Boys Town" (M-G-M)
"Ellery Queen's Penthouse Mystery" (Col.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,500. (Average, $8,000)
"Road to Zanzibar" (Para.)
"The Round Up" (Para.)
PARAMOUNT—(2,348) (39c-50c) 7 days. 2nd week. Gross: $3,500. (Average, $4,500)
"The Great Lie" (W. B.)
"The Great Mr. Nobody" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days, 2nd week. Gross: $3,200. (Average. $5,000)

New Schine House Opened

Canandaigua, N. Y., April 27.—The new Lake Theatre, second Schine house here, was opened recently. William J. MacFarlane, who has been manager of the Playhouse, steps up to city manager, with Ernest Crouch, Playhouse assistant, serving as house manager for the new theatre.

Resume Stage Shows

Rochester, April 27.—Stage programs have returned to the Century Theatre here on Friday nights, with an orchestra and dance contest featured.

Feature Reviews

"The Black Cat"

(Universal)

THIS production of "The Black Cat" has all the essentials of thrilling mystery and a few extras which collectively make for an excitingly good time for mystery lovers.

Under Albert S. Rogell's direction, the mystery is baffling until the very end, when the identity of the killer is divulged. In the events leading up to the climax, he has intermingled suspense with comedy and the combination works out very well.

The first murder is that of an old woman, cremated, which leaves the will to be disputed by the members of her family and the housekeeper, Gale Sondergaard. Secret passages, a spooky crematory, figures in the dark and a couple of more murders, one the housekeeper and the other a caretaker, Bela Lugosi, subsequently have their inning.

Hugh Herbert handles the comedy and repeatedly deflates the tension in a manner which drew many chuckles from the patrons at the Rialto on Broadway. Broderick Crawford is the hero who wanders about in quandary, until he finally discovers the murderess and saves the girl, Anne Gywnne, from the crematory. Basil Rathbone is the husband of the murderess, who is the daughter of the old woman. The daughter commits the crimes in a desperate effort to provide Rathbone with funds and thus hold him.

Running time, 70 minutes. "G."*

"Mutiny in the Arctic"

(Universal)

Hollywood, April 27

IN this number of the Richard Arlen-Andy Devine series the scene is somewhere within the Arctic circle and the boys are up there searching for a deposit of pitchblend. They have trouble with icebergs, with polar bears, complicating trouble with mutinying sailors, their own efforts and the help of a friendly band of Eskimaux bringing them out alive and presumably with a map showing the location of the deposit.

The adventuring is of the kind that used to be used in serials, the action in key with same and the plausibility such as the very young used to credit and, in some localities, may still. It is hardly a picture to be taken seriously by adults.

Also in the cast are Anne Nagel, Addison Richards, Don Terry, Oscar O'Shea, Harry Cording, Jeff Corey, Harry Strang and John Rogers.

Ben Pivar was associate producer and John Rawlins director. Some of the stock shots, notably those of the Eskimaux, are interesting in themselves.

Running time, 61 minutes. "G."* Roscoe Williams

"Tumbledown Ranch in Arizona"

(Monogram)

Hollywood, April 27

EQUIPPED with a new device for getting into its story and supplied with songs above the average for Westerns, this item in the Range Busters series produced by George W. Weeks slides along in high gear until the plot tightens up near the finish and then falls somewhat apart, regaining headway in a finish that is also a novelty for this type of picture.

Ray Corrigan, John King and Max Terhune continue their convincing portrayals of the avenging triumvirate but the players in charge of the villainy fail to make their felonious activities credible.

The film opens in 1941 with sons of Corrigan and King, played by Corrigan and King, attending a college rodeo, Corrigan talking about fourth dimension and the possibility of going back into the past under certain circumstances. A blow on the head provides the circumstance and the years roll away, taking the story back to the 19th century and relating the tale of how the three cowboys save a ranch from confiscation by agents of a railroad. When this is done, the time element is juggled again, the film ending as it starts in 1941.

Direction is by S. Roy Ruby, Anna Bell Ward acting as associate producer.

Running time, 60 minutes. "G."* Roscoe Williams

"G" denotes general classification.

Stella Inda Visits Here

Stella Inda, Mexican actress who received a critics' award there for her role in "Night of the Mayas," is visiting here. She is featured in "La Cancion del Millagro," which RKO is releasing in South America.

Sten Suit Is Settled

Los Angeles, April 27.—Morton Garbus, attorney for Anna Sten, who is suing Republic for $45,500 allegedly due as salary in an oral contract, has filed a stipulation of dismissal in Federal Court, announcing a settlement has been made.

Construction Up $1,000,000 For Quarter

Theatre construction projects for the first quarter of 1941, in 37 states East of the Rocky Mountains, showed a substantial increase to $5,557,000, according to a summary prepared by the Dodge Reports, construction news service. The figures involve new houses and major remodeling.

The three-month project valuation compares with a valuation for the first quarter of 1940 of $4,651,000, with the increase attributed largely to the national defense program.

In the 1941 period there were 192 theatre building projects, with a total floor area of 881,000 square feet, compared with 173 projects with a floor area of 549,000 square feet in the first three months of 1940.

In March, 1941, there were 58 houses, with an area of 167,000 square feet and a contract valuation of $1,250,000. In March, 1940, there were 61 projects, with an area of 122,000 square feet, valued at $1,178,000.

In February, this year, there were 63 projects, involving 356,000 square feet, valued at $2,114,000. In the same month last year 61 projects, with an area of 262,000 square feet, were valued at $2,157,000. In January, this year, there were 71 theatre projects, with an area of 358,000 square feet, with contracts valued at $2,193,000, compared, in January, 1940, with 51 projects, involving an area of 165,000 square feet, valued at $1,316,000.

First Complaint Is Filed in New Haven

New Haven, April 27.—The first arbitration complaint of record at the New Haven tribunal was filed on Friday by the Forest Theatre, West Haven, Conn., against the five consenting companies on clearance.

E. M. Cascioli, operator of the Forest, asked that he be permitted to play day-and-date with the Rivoli, West Haven, which now has 14 days clearance over him, and for a reduction of New Haven clearance from 30 days to 16 days over the Forest.

Albany Complaint to Be Heard Tomorrow

Albany, April 27.—The first local arbitration case will be heard at the offices of the American Arbitration Association here on Tuesday. The arbitrator will be Morton J. Hall, manager of the Albany Life Insurance Co. The complainant is Alexander Papayanakos of the American Theatre, Canton, N. Y., against Warners and RKO and involves clearance.

Florida Purchase Of Film Authorized

Tallahassee, Fla., April 27.—The Florida Senate, approving a House measure, has authorized payment of $17.898 from New York World's Fair funds to David M. Newell for the picture, "All Florida," which will be turned over to the State Department of Agriculture.

Para. 1940 Net Exceeds 1939 By $4,895,000

(Continued from page 1)

593,455, of which $1,829,604 represented balances in Canada, $1,453,371 in Great Britain and other Dominions, and $45,121 in other foreign countries, principally South America. The total inventory amounted to $18,344,063. Total current assets were $35,304,371 and current liabilities $7,974,516, leaving net working capital of $27,329,855.

The companies' investments in foreign subsidiaries other than Canada aggregate $8,300,000. Of this, $6,200,000 represents investments in England, $1,600,000 in Continental Europe, principally France and Belgium.

Interest bearing indebtedness of the company and consolidated subsidiaries was reduced by approximately $3,900,000 during the year. Preferred stocks of consolidated subsidiaries were reduced by approximately $1,750,000, principally through the retirement of $1,274,500 of 7 per cent preferred stock of Balaban & Katz Corp., and $462,800 of 7 per cent preferred stock of a Canadian subsidiary. In addition, 22,600 shares of Paramount second preferred stock, and 10,482 shares of its first preferred, having an aggregate par value of $1,274,000, were acquired at a discount of $203,500 during the year.

'Dynamite' and Show $10,200, Milwaukee

MILWAUKEE, April 27.—The film, "Mr. Dynamite," and Anthony Nelle's "Maid'n America" show on the stage, drew $10,200 at the Riverside. "The Devil and Miss Jones" and "The Great Mr. Nobody" took $6,800 at the Warner.

Estimated receipts for the week ending April 22-24:

"The Monster and the Girl" (Para.)
WISCONSIN—(3,200) (33c-44c-55c) 5 days. Stage: Ralph Edwards' "Truth or Consequences." Gross: $4,000. (Average, $5,500)

"Road to Zanzibar" (Para.)
"Dead Men Tell" (20th-Fox)
PALACE—(2,400) (33c-44c-55c) 7 days, 2nd week. Gross: $4,500. (Average, $4,500)

"Mr. Dynamite" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: "Maid'n America." Gross: $10,200. (Average, $6,500)

"Men of Boys Town" (M-G-M)
"Las Vegas Nights" (Para.)
STRAND—(1,400) (33c-44c-55c) 7 days. Gross: $2,400. (Average, $1,500)

"The Devil and Miss Jones" (RKO)
"The Great Mr. Nobody" (W. B.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6,300. (Average, $4,500)

Don't Forget....
You Have a Date....
National Convention of
The Variety Clubs
of America
Traymore Hotel
Atlantic City, N. J.
May 15th, 16th & 17th

Numerous Stars Assigned; Norma Shearer Film Is Set

Hollywood, April 27

ASSIGNMENTS of stars to forthcoming vehicles featured the week's production news. M-G-M announced that NORMA SHEARER's next picture would be "We Were Dancing," taken from characters and incidents of Noel Coward's "Tonight at 8:30." . . . PAULETTE GODDARD has been assigned the feminine lead in C. B. De Mille's "Reap the Wild Wind." . . . MAUREEN O'HARA, under terms of her joint contract with 20th Century-Fox and RKO, will star in "How Green Was My Valley" at the former studio. . . . GEORGE BRENT and DENNIS MORGAN are to appear in "Shadows of Their Wings," story of the Royal Canadian Air Force to be made at Warners. . . . "Dance Hall," first SOL WURTZEL production for 1941-'42, at 20th Century-Fox will have CESAR ROMERO and CAROLE LANDIS in top roles.

Paramount assigned EDDIE BRACKEN a starring role in "We're in the Navy Now." . . . ROBERT CUMMINGS is to play the romantic lead in "Almost An Angel," forthcoming DEANNA DURBIN film. . . . SUSAN HAYWARD will be co-starred with ALBERT DEKKER in "Among the Living" and will also appear in "Reap the Wild Wind." . . . JOHN PAYNE will have his first important dramatic role opposite CLAUDETTE COLBERT in "Remember the Day" at 20th Century-Fox.

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Dress rehearsals are in progress at the Goldwyn studio for "The Little Foxes," starring Bette Davis. Save for a few location sequences, the entire picture will be shot on one stage, on which has been created a complete town. Actual shooting starts this week. The film will introduce seven new film personalities, including five from the original stage cast: Patricia Collinge, Charles Dingle, Carl Benton Reid, Dan Duryea and John Marriott.

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JEAN GABIN has been assigned the leading role in "Moon Tide" which MARK HELLINGER is to produce at 20th Century-Fox. . . . JOHN EMERY, of the New York stage, has been signed for a role in "Heaven Can Wait" at Columbia. . . . Columbia has also given contracts to CLAIRE TREVOR and JOHN HUBBARD. . . . RKO signed ZASU PITTS for the next LEON ERROL-LUPE VELEZ comedy. . . . JACK CARSON was assigned a featured part by Warners in "Navy Blues" . . . TOM KEANE will be starred in a series of westerns at Monogram. . . . M-G-M signed 20-year-old DONNA ADAMS for a feminine lead in "The Get Away." . . . H. B. WARNER was signed by RKO for "The Devil and Daniel Webster." . . . RAY MACDONALD has been signed to a long term M-G-M contract and set for one of the featured dancing roles in "Babes On Broadway."

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HARRY WURTZEL and NAT LIEBSKIND are opening offices in Rio de Janeiro and Buenos Aires for the interchange of film, stage and radio talent. . . . LEWIS MILESTONE will direct RKO's "Joan of Paris." . . . Dora Einzig, secretary to M-G-M short subjects producer Jack Chertok, has announced her engagement to MICHAEL PORTER. . . . LLOYD BACON has had his directorial contract extended by Warners. . . . DAVID HALL has been signed as production designer for "Ladies in Retirement." . . . Four Academy Award winners have been engaged for the technical side of ALEXANDER KORDA's "Illusions." They are VINCENT KORDA, set designer; GEORGE BARNES, photographer; LAWRENCE BUTLER, in charge of special effects, and JACK WHITNEY, handling sound.

Critics' Quotes . . .

"MISSING TEN DAYS" (Columbia)

Once again the British turn to their favorite and most successful cinema formula—banter and espionage. This time they apply it to a lively and humorous melodrama . . . most of it is highly amusing and entertaining.—*William Boehnel, New York World-Telegram.*

Preposterous as it is, "Missing Ten Days" is rattling good fun.—*New York Times.*

It combines some good humorous situations, surely unusual for a British film, with suspense of the topmost order.—*Lee Mortimer, New York Mirror.*

Another exciting English melodrama. . . . It certainly is another instance of the gift the British have for blending truth and fancy, portentuousness and light-hearted make-believe with clarity and wisdom.—*Robert W. Dana, New York Herald Tribune.*

"THE GREAT LIE" (Warners)

A dramatic bombshell that pits Bette Davis against Mary Astor in a stirring histronic battle for top honors . . . don't miss "The Great Lie."—*Jesse Allen, Newark Star-Ledger.*

Judging by the enthusiasm of the audience (mostly women) her newest movie should prove one of her most successful.—*Elsie Finn, Philadelphia Record.*

"A GIRL, A GUY AND A GOB" (Harold Lloyd-RKO)

Entertainment which is perhaps more solid than spectacular. . . . None of the individual items is a perfect show-stopper, but the sum amounts to a rousing show.—*Henry T. Murdock, Philadelphia Ledger.*

Couldn't be much funnier and fresher with Harold Lloyd in front of instead of behind the camera. . . . It provides an incredible number of laughs. Riot is no exaggeration.—*Laura Lee, Philadelphia Bulletin.*

Fresh, funny and bright as a new penny.—*Elsie Finn, Philadelphia Record.*

Short Subject Reviews

"Los Angeles Examiner Benefit"

(Republic)

Fourth in Harriet Parson's' "Meet the Stars" series, this short is produced in the typical benefit style. Many celebrities make brief appearances on the stage against a backdrop of a huge front page of the *Los Angeles Examiner.* The program includes Butch & Buddy, Mickey Rooney and Judy Garland, the Duncan Sisters, Constance Moore, Reginald Gardiner, Milton Berle, Mary Beth Hughes, Buddy Pepper and Lorraine Krueger, Bob Williams and Red Dust, Mary Martin, the Andrews Sisters, Abbott & Costello and Arthur Lake and Larry Simms, with Milton Berle as master of ceremonies. To many in the film going audiences who have never attended benefits all these goings-on should prove highly entertaining. Running time, 10 mins.

"Highways of New England"

(Emerson Yorke)

The State Highway Departments of New Hampshire and Vermont sponsored this subject. Its purpose frankly is to attract tourists to these states. The subject, in color, was photographed in the autumn, enhancing many exceptional scenic shots. Many places of historic interest are singled out for camera attention. The commentary is suitable, photography and color are good, as are special musical scores. The subject is suitable for the theatrical bookings which the producer seeks. Running time, 11 mins.

Games in Cleveland Face City Inquiry

CLEVELAND, April 27.—Chance games offered here by some theatres last night became the target of "immediate investigation" by the Cleveland Safety and Law Department.

The campaign was launched after representatives of 15 veterans and fraternal groups went to City Hall to protest the ban outlawing Bingo, and complained that theatres were allowed to operate "identical games" without interference from police.

Assistant Safety Director T. L. Clothey said the police department would be ordered to list all film houses offering prizes and a description of games played with view to having the Law Department determine whether the games are legal.

'Topper' and King Omaha Hit, $15,400

OMAHA, April 27.—"Topper Returns," with Wayne King and his orchestra on the stage, pulled $15,400 at the Orpheum.

Estimated receipts for the week ending April 23-24:

"Adam Had Four Sons" (Col.)
"Blondie Goes Latin" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,200. (Average, $4,000)

"Men of Boys Town" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days, 2nd week. Gross: $5,600. (Average, $6,000)

"Topper Returns" (U.A.)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Wayne King and orchestra. Gross: $15,400. (Average, $7,200)

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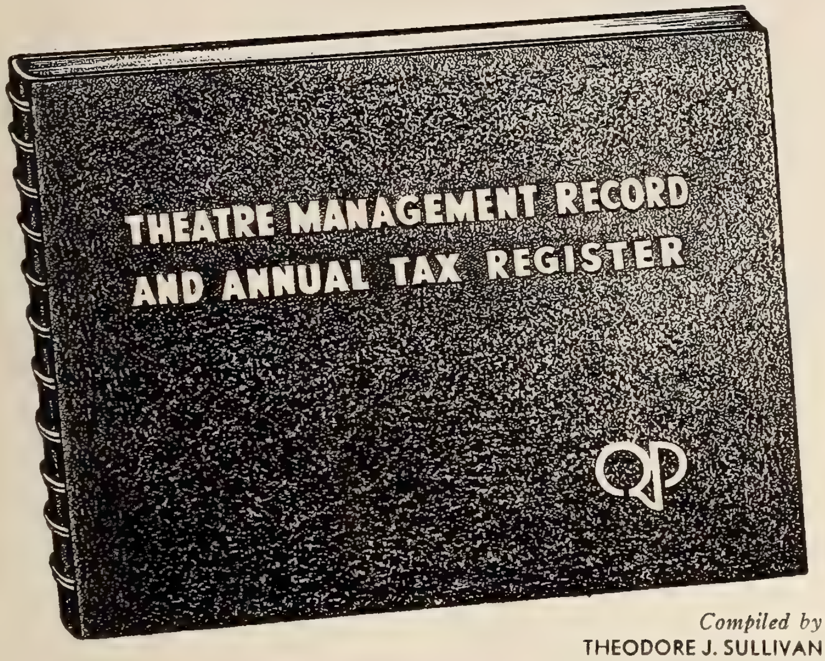
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Television for Theatres Will Cost $30,000

(Continued from page 1)

units a year, the costs would be halved, Joyce said.

The reason why neither RCA nor its subsidiary, NBC, will provide a program service for theatre television, according to Joyce, is that David Sarnoff, president, is of the opinion that his company should devote itself to home entertainment, not theatre programs, and that it is up to theatre executives and film producers to provide programs for theatres.

It was indicated that the matter of protection for theatre entertainment over home entertainment is a matter for the FCC to decide.

Independent companies or promoters such as Madison Square Garden, Mike Jacobs or persons similarly interested, will have to provide the programs, Joyce said. He declined to state how soon such service would be available but added that it would be foolish for any exhibitor to contract for the equipment in advance of some definite commitment by a responsible program-servicing organization. Joyce expressed confidence, however, that some service soon would be forthcoming for New York City.

[A spokesman for Mike Jacobs declared over the weekend that Jacobs "was thinking about it" when asked whether Jacobs would provide the service.]

Theatre television on a national scale may be 10 to 20 years off, Joyce stated. It will grow from particular communities as did radio, he said, and is likely to have its most rapid growth in the area bounded by New England on the North, Washington on the South, Chicago on the West and the Atlantic on the East. At present, RCA is thinking principally in terms of New York City for the immediate future, he said.

Other costs estimated by Joyce in addition to the first $30,000 investment would be about $200 weekly for telephone line charges for theatres in New York City, a maintenance charge of between $25 and $50 weekly and a charge for the program service. While he stated that he could not fix the cost of program service, he estimated that it would be between 10 and 20 cents per seat for the usual run of events and might be as high as 40 cents or even a dollar per seat for events of exceptional interest.

A "typical" month, as prepared from a survey prepared by RCA, indicated that company officials believe that there are from three to five events daily in New York City which would make good television programs. Some of these items were such events as a motor boat show and fencing exhibitions, but for the most part they were sports events of general interest.

The equipment can be operated by an ordinary film projectionist, it was stated. It will be sold either for cash or on a credit basis, it was said, and will be sold to any exhibitor.

The demonstration on May 9 will include dramatic and variety presentations from the NBC studios with a middleweight championship bout.

Off the Antenna

RKO has purchased spot announcements on WOR and WABC to advertise the opening of "Citizen Kane." . . . Loew's, Inc., is using spot announcements on WOR and WHN for "I Wanted Wings."

• • •

Purely Personal: *Dinah Shore and Blanche Ring will be guests on "We, the People" over CBS tomorrow at 9 P.M. . . . Margalo Gilmore left over the weekend for St. Louis to join her husband, Robert Ross, who will direct the Municipal Opera there this Summer. . . . Clyde M. Hunt, WJSV, Washington, chief engineer, has become the father of a son, Clyde M., Jr. . . . Ken Stowman, WCAU, Philadelphia, publicity director, is giving a course on radio in Temple University. . . . Frank Silva, formerly WSAY, Rochester, sportscaster, has transferred to WHAM, Rochester. . . . Lionel Barrymore will join his brother, John, as guest of Rudy Vallee over NBC-Red Thursday. . . . Stuart Erwin will be guest of Bob Hope over NBC-Red tomorrow.*

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Sponsors on the one and five-watt intramural collegiate broadcasting systems appear to be on the increase. Finchley and Brooks Brothers have signed for spot announcements on WPRU, the Princeton station. Finchley will also sponsor announcements on the Brown University station. The Princeton contract will extend through May and is timed to coincide with the arrival of traveling representatives of the clothing firms at the university.

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With the Daylight Saving Time situation so confused all over the country, NBC-Blue made an effort over the weekend to aid advertising executives to determine at what time their programs are heard in particular cities where Blue network outlets are located. This consists of a "slide rule" card conceived by E. H. P. James, Blue sales promotion manager.

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Program News: *Sixth sponsor to sign with WABC for the Arthur Godfrey show is Shaler Co. which will participate in the 6:35-7 A.M. portion starting May 23. . . . "Nobody's Children" will return to Mutual Sunday at 10 P.M. . . . Starting Thursday, repeat broadcasts will be carried for Western stations of NBC-Red for the "Aldrich Family" program. Stations in the Eastern and Midwestern time zones will carry the show at 8:30 P.M. and 7:30 P.M., respectively, while stations in the Mountain and Pacific time zones will carry it at 9 P.M. and 8 P.M., respectively. The repeat was made necessary by Daylight Saving Time. . . . General Foods will add 19 CBS stations for "Joyce Jordan, Girl Interne" for a new total of 78 stations.*

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Walt Disney has arranged a tieup with WINS for a series to illustrate the third dimension principle in music. The series will be heard Sundays 8:45-9 A.M. with music adapted for radio from "Fantasia." The first program, broadcast yesterday, was "The Sorcerer's Apprentice."

Summer Listening Up, Survey Shows

Another survey on Summer business, this time by WOR, has been released. Summer listening, according to the study, is increasing. During July and August, 1940, daytime listening showed an increase of 16 per cent over the same months in 1939 and evening listening was up 15 per cent. Called "Five Months Make One Year," the study points out that $200,000,000 will be spent by vacationers during the Summer of 1941 in the WOR area for retail merchandise, food, travel, accommodations, relaxation and confections.

Propose Florida Amusement Levy

TALLAHASSEE, April 27. — Night clubs, "music boxes" and other public amusement places would be taxed to provide funds for special old age pensions in Florida under a proposal made to the Senate here by Senator A. B. Folks of Ocala.

The measure, which might be expected to have repercussions affecting many branches of the amusement industry, would provide for a levy on the basis of 10 per cent of gross income of taxable establishments. Supervision of collections would be under the State comptroller.

Meet Tomorrow on Disney Labor Fight

LOS ANGELES, April 27.—William R. Walsh, acting regional director of the National Labor Relations Board, has set Tuesday as the date for a conference among representatives of Walt Disney Productions, Inc., Screen Cartoonists Local 852, and the Federation of Screen Cartoonists to see whether an amicable agreement over an election to determine the bargain agency for Disney workers can be reached.

Otherwise Walsh said he would recommend that the NLRB issue a formal complaint charging Disney with unfair labor practices. Walsh's former superior, Walter Spreckels, now Disney labor counsel, is barred by NLRB rules from appearing in the present case.

Educational 16mm. Public Sale May 5

Public sale of the rights to 16 mm. and sub-standard non-theatrical films of Educational Film Corp. of America, and its subsidiaries, bankrupt company, will be held before Peter B. Olney, referee, on May 5 at the U. S. Court House here. The material includes about 730 sound and silent subjects.

Buys Schuylerville House

SCHUYLERVILLE, N. Y., April 27.—Vivien Sweet, who owns the Swan Theatre, Greenwich, and Star, Salem, N. Y., has taken over the Broadway, here, operated heretofore by John Milligan.

Anti-Ascap Test in High Court Today

The constitutionality of state anti-Ascap legislation will be tried on its merits for the first time in the United States Supreme Court with the opening today of hearings on the Florida and Nebraska statutes.

Indications are the arguments will continue through tomorrow. Louis D. Frohlich and Herman Finkelstein of Schwartz & Frohlich, Ascap counsel, will represent Ascap.

Florida Bill to Aid Stations on Libels

TALLAHASSE, Fla., April 27.—A bill introduced in the Florida Senate would afford radio stations protection from libel actions. Under the terms of the measure, if a radio speaker uttered a libel in departing from a previously supplied text, the station could not be held liable for such utterance.

Another measure, offered as a companion bill, would be designed to prevent such organizations as Ascap from claiming royalties on music sold to a station on records or transcriptions.

Seek Approval of Michigan Station

WASHINGTON, April 27.—An application for a construction permit for a new 600-kilocycle, 1,000-watt broadcasting station at Flint, Mich., has been filed with the FCC by the Genesee Broadcasting Corp.

Applications also have been received from Stations KFDM, Beaumont, Tex., for increase of power from 1,000 to 5,000 watts; KWLM, Willmar, Minn., for increase of power from 100 to 250 watts, and KBPS, Portland, Ore., for increase of power from 100 to 250 watts.

Film, KMBC, 'Ranger' Win Safety Awards

The three awards for effort and achievement in support of traffic safety given annually by the C.I.T. Safety Foundations have been announced. Winners were the Kansas City, Mo., Safety Council for its film, "Guilty"; the radio program, "The Lone Ranger," and KMBC, Kansas City, for its year-round support of traffic safety measures. "The Lone Ranger" had been honored once before, by the Foundation, in 1936.

Song Suit Settled

Suit for $525,000 claiming that the song, "Good-bye to Love" was infringed by 20th Century-Fox in the film "Here's to Romance," has been settled, according to stipulation filed in U. S. District Court here. Defendants also were San Fox Publishing Co., Herb Magidson and Con Conrad, song writers. Plaintiffs were Carl Field and Henry and Jeff Clarkson.

To Renovate Exchange

WASHINGTON, April 27.—The local 20th Century-Fox exchange is to be renovated.

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and
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Picture
Industry

MOTION PICTURE DAILY

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V[illegible]L. 49. NO. 83 NEW YORK, U. S. A., TUESDAY, APRIL 29, 1941 TEN CENTS

Admission Tax Rise Approval Is Anticipated

Hearings Open; Levy on Rentals Likely

By BERTRAM F. LINZ

WASHINGTON, April 28.—From indications at the opening hearing held today by the House Ways and Means Committee on the new tax bill, it is considered probable that the proposal to reduce the admissions tax exemption to nine cents will be accepted and that the suggestion for a rental tax will also be considered favorably.

That the motion picture industry might expect scant attention to protests against new or increased taxes on grounds no more substantial than that

(*Continued on page* 4)

2 Clearance Cases Filed in Pittsburgh

PITTSBURG, April 28.—Two additional arbitration complaints have been filed here, making a total of three in this area. The latest has been brought by David Green, operator of the Beacon here, against the five consenting

(*Continued on page* 2)

Coast Flashes

Hollywood, April 28

HERBERT J. YATES arrived today for quarterly production conferences at the Republic studio. He plans to remain three weeks.

•

A near riot yesterday forced cancellation of a scheduled showing of "Dr. Koch," Nazi film, at a private auditorium in Los Angeles. F. K. Ferenz, German organization leader, had rented the Pacific Electric Club Hall, installing his own equipment, only to have N. B. Vivkery, club manager, order him out when he learned the type of film to be shown.

•

Injuries of Thomas Mitchell, hurt in a horse runaway on an RKO film set, will confine him to a hospital for several weeks and RKO is faced with the necessity of replacing him in "The Devil and Daniel Webster," 10 days of which have been shot.

Public Demand for Laughter Pictures, De Sylva Declares

By IRVING YERGIN

CHICAGO, April 28.—There is a definite public demand for lighter and gayer film entertainment, and therefore Paramount will have an increased number of comedies on its 1941-'42 program, stated B. G. De Sylva, executive producer, here today, en route for home office conferences.

This finding by Paramount resulted from a survey made in the company's 1,100 theatres.

"As a result of this survey," said De Sylva, "we know exactly how and what pictures are doing throughout the country."

While in New York, De Sylva will see the stage plays purchased by the

(*Continued on page* 4)

'Zanzibar' and 'Lie' Hold Fourth Week

"Road to Zanzibar" at the Paramount and "The Great Lie" at the Strand continued to draw well over the weekend, with the two films being held for a fourth week. Benny Goodman and his orchestra, heading the stage show at the Paramount, will be replaced tomorrow by Harry James and his band, while at the Strand Jimmy Dorsey will remain for the extra week.

The Paramount show finishes its third week tonight with about $37,-

(*Continued on page* 4)

GOV. STASSEN SIGNS MINN. ANTI-5 BILL

Block Booking Required, Contravening Decree; See Court Test

MINNEAPOLIS, April 28.—Block booking, which is outlawed by the New York case consent decree, is now legally required in Minnesota. Gov. Harold E. Stassen this morning, signed the anti-block-of-five bill which had been previously approved by both the State Senate and the House.

Representations reported to have been made to Gov. Stassen by Washington officials and company representatives urging his disapproval of the bill by veto, apparently proved unavailing.

The bill provides for the sale of an entire season's product in one block, with a 20 per cent cancellation privilege allowed the exhibitor. Distributors here are puzzling about how to handle sales in this state, while the block-of-five system is in force in the rest of the country. Paramount is af-

(*Continued on page* 4)

Majors Study Plan of Action On Minn. Law

Official observers in New York yesterday were prompt in stating that the consenting companies undoubtedly will undertake some course to determine the constitutionality of the anti-block-of-five measure signed by Gov. Harold E. Stassen.

The specific steps to be taken were still unknown.

Guidance, observers state, will be sought from the U. S. Department of Justice, in any course of action which

(*Continued on page* 4)

Sisk to Join Para. Studio on May 14

HOLLYWOOD, April 28.—Robert F. Sisk, who resigned over the weekend as RKO associate producer, will join Paramount in a similar capacity on May 14.

George J. Schaefer, RKO president, today announced that Sisk and Lee Marcus had resigned, confirming a story carried exclusively in Monday's MOTION PICTURE DAILY.

East Central States Better Market Than New England, Survey Shows

Washington, April 28.—Families in the East Central Region (Pennsylvania to Illinois) are slightly better customers for exhibitors than those in New England, it is disclosed by results of a survey of that area by the Bureau of Labor Statistics as compared with an earlier survey of family expenditures in the Northeastern states.

In Columbus, Ohio, selected as a typical large city, expenditures for motion picture attendance were found to range from $3 for families with income of $500 to $750, to $48 for the $5,000-$7,500 income group, while in Providence, R. I., the expenditure ran from $3 to $42 for the $3,500-$4,000 group.

In the middle sized cities, however, whereas motion picture expenditures ranged from $4 to $39 in the East Central Region, in New England they ran from $4 to $30, and in the small cities the East Central Region reported a range from $6 to $32 against New England's $5 to $29.

In the median-income groups, it was found that the families of clerical and professional workers were better customers of the film theatres than those of wage earners, but in actual box-office results it is probable that the wage earners, as a group, so far outnumbered other classes in the cities studied as to be the backbone of exhibition business.

Appeal Is Filed for Schenck, Moskowitz

Ten alleged reversible errors were committed by Federal Judge Grover H. Moscowitz, it is set forth in the notice of appeal which Joseph M. Schenck and Joseph H. Moskowitz filed yesterday in the U. S. Circuit Court of Appeals.

Among such errors, it is claimed by the defendants, were the omission of certain testimony and records and the exclusion of other evidence offered by them during the trial. The failure of the court to grant an application by the defendants to dismiss each count of the indictment is cited as error on the part of the court.

One of the chief contentions that error had been committed by the court was the ruling which denied to the defendants the right to subpoena Treasury Department agents and to question them upon their method of computing Schenck's income taxes. Judge Moscowitz had sustained an objection by the Government on the ground that authorization must first be secured from the Secretary of the Treasury before the subpoenaing of a Treasury agent. The defendants con-

(*Continued on page* 4)

Personal Mention

HARRY COHN, Columbia president, who was in New York, has returned to the studio.

•

ARTHUR GREENBLATT, general sales manager of Producers Releasing Corp., is on a field tour.

•

ROBERT RUSSELL, Loew-Poli manager in New Haven, is visiting New York.

•

STEVEN BARSANSKY of New Haven, is the father of a daughter, born last Friday at New Haven Hospital.

•

WILLIAM MORGAN, former manager of Warners' Grand, Vineland, N. J., was given a dinner over the weekend by the Diamond Social Club in Philadelphia.

•

HARRY OLMSTEAD, manager of Warners' Capitol, York, Pa., is the father of a daughter, SUSAN ELLIOTT, born late last week.

•

SOL GETZOW, manager of Warners' Ogontz Theatre, Philadelphia, has returned to his post after an illness.

•

GEORGE JOSEPHS, manager of Columbia's sales accounting department, is the father of a daughter, born Saturday at Jewish Hospital, Brooklyn.

•

WILLIAM J. GELL, managing director of Pathe, Ltd., has left by Clipper for his office in London.

•

BEN MOSS, RUSSELL HOLMAN, MILTON KUSELL, RALPH AUSTRIAN, ADOLPH ZUKOR, EDMUND C. GRAINGER, OWEN DAVIS and MORRIS GEST at Nick's Hunting Room in the Astor yesterday for lunch.

•

C. J. SCOLLARD, LOWELL CALVERT, SAM SHAIN, HARRY BUCKLEY, LESLIE E. THOMPSON and HARRY THOMAS lunching yesterday at Toots Shor's.

•

VINCENT TROTTA, HERB EBENSTEIN, SAM SPRING, NEIL AGNEW, J. J. UNGER and DOUGLAS ROTHACKER lunching at the Tavern yesterday.

•

CLARENCE EISEMAN, HASKELL MASTERS, CHARLES STERN, MARTIN MOSKOWITZ, JOSEPH PINCUS and JACK GOETZ at Lindy's (51st St.) for lunch yesterday.

•

EMANUEL SILVERSTONE, LOU WEINBERG, RUBE JACKTER and ARCHE MAYER lunching yesterday at Lindy's (next to the Rivoli).

•

FRED SCHWARTZ, RUSSEL CROUSE, WILLIAM FADIMAN, BROCK PEMBERTON, DENNIS KING and AL ALTMAN at Sardi's yesterday for lunch.

•

LLOYD HAIGHT of United Detroit Theatres is the father of a son, born last week.

Schubart Operated On

A. A. Schubart, manager of exchange operations for RKO, was stricken on Saturday with appendicitis, while on a tour of exchanges, and is resting comfortably after an operation at St. Luke's Hospital, Chicago.

Feature Reviews

"The Singing Hill"

(Republic)

Hollywood, April 28

PRODUCTION value of a high order is manifest in this latest Gene Autry musical western. Autry, Smiley Burnette, Virginia Dale, young Mary Lee, Spencer Charters, Gerald Oliver Smith and George Meeker are principally concerned.

The story has Autry as foreman of a ranch owned by a flighty society girl who gives an option to buy her property to a land hungry young man who will stop the ranchers' grazing privileges. The option is finally bought up and the ranchers saved, with the girl recognizing the havoc her actions would have caused if fulfilled.

Ten songs are heard in the picture, which was directed by Lew Landers for associate producer Harry Grey. Action and scenic interest in full measure are also provided.

Running time, 75 minutes. "G."* W. S.

"Wildcat of Tucson"

(Columbia)

ANOTHER adventure with Wild Bill Hickok, this is not too original in the way of plot development but it does contain a sufficient quantity of action to satisfy the Western trade.

Playing the part of Wild Bill is Bill Elliott. He is supported by Evelyn Young, Stanley Brown, Doug Taylor, Kenneth McDonald, Ben Taggart and others. Lambert Hillyer directed.

The yarn has Elliott coming to the rescue of his brother, Brown, who attempts to prevent claim jumping and is jailed by the puppet sheriff. Elliott does a good job of it, relying on his quick-draw ability most of the way, and when not wielding his shooting irons he is usually engaged in a slugfest with or threatening a cowering member of the opposition.

Running time, 59 minutes. "G."*

**"G" denotes general classification.*

2 Clearance Cases Filed in Pittsburgh

(Continued from page 1)

companies, seeking product day and date with the Squirrel Hill Theatre.

Frank Biordi, operator of the Majestic, Elwood City, Pa., has filed a complaint against M-G-M, RKO, 20th Century-Fox and Warners asking for product day and date with the Manos, also of Elwood City. In addition, Biordi seeks sufficient product to permit him to operate as a first run house.

First New Haven Case Hearing Set for May 19

NEW HAVEN, April 28.—May 19 has been tentatively set for a hearing of the first arbitration case filed in New Haven. E. M. Cascioli, operator of the Forest here demands the elimination of the 14 days' clearance which the Rivoli, West Haven, Conn., has over his house and the reduction of the New Haven Theatre's clearance from 30 to 16 days over the Forest.

Milwaukee Hearing Postponed to May 6

MILWAUKEE, April 28.—The Evansville Theatre Co.'s complaint on clearance, scheduled for hearing tomorrow before the local arbitration board, has been adjourned to May 6 because of the illness of A. D. Kvool, one of the witnesses. This was the second adjournment.

Charles Chic Dead

HOLLYWOOD, April 28.—Charles J. Chic, 50, general production manager of M-G-M, was found dead in his car in Beverly Hills on Saturday. He is survived by his parents, his widow and one sister.

Dallas Variety Club Appoints Committees

DALLAS, April 28.—Paul Short, chief barker of Variety Club of Texas, Tent No. 17, has appointed various committeemen for the year. The committees and chairmen include:

Robert J. O'Donnell, in charge of the outdoor festival; John Adams, national convention; James O. Cherry, membership; Meyer Rachofsky, dues; L. M. Rice, legal; Ray Beall, publicity; Wallace Walthall, parties; Fred Jack, finance; Charles Meeker, speakers and entertainment at the Monday luncheons; Joe Estes, Hallowe'en party; Lynn Stocker, Christmas carnival; Walter Henshel, Atlantic City convention arrangements; Duke Evans and Burt King, golf tournaments; William F. O'Donnell, general entertainment; Elmer Zrenner, purchasing and maintenance.

Boucher Rochester Schine Supervisor

ROCHESTER, April 28.—Frank M. Boucher, Western New York zone manager for Schine Enterprises, Inc., will supervise Schine's 13 local houses, it was announced here today. Boucher has been associated with the theatre business for the last 20 years, the last three of which have been with Schine.

Hode in Address to Philadelphia Group

PHILADELPHIA, April 28. — Hal Hode, executive of Columbia Pictures, was the principal speaker this afternoon at the annual Spring luncheon of the Philadelphia Motion Picture Forum at the Bellevue-Stratford Hotel. He spoke on "The Movies and Your Children."

Make Sure—But How

Columbus, April 28

P. J. WOOD, secretary of the ITO of Ohio, in a service bulletin declares that too much guesswork by exhibitors has obscured actual information on cost of product, and urges them to obtain facts and figures in order to buy intelligently under the block-of-five plan.

He emphasizes the heavier tax burden to be met, the potential decrease in business due to trainees entering military service, which loss in attendance cannot be otherwise compensated for, and other forms of competition which may be encountered. He warns that exhibitors cannot pay as much for film as they formerly did, otherwise they will be "courting disaster."

175 Attend Albany Dinner to Kranze

ALBANY, April 28.—About 175 persons attended the testimonial dinner to Bernard G. Granze at the Kenmore Hotel here tonight, signalizing his promotion by RKO from branch manager here to a similar post in Cleveland. Kranze was presented a watch by Louis R. Golding, Fabian Theatres division head, on behalf of the guests.

Robert Wolff, New York branch manager for RKO, was toastmaster. Speakers included Louis Schine, Michael Kallet, William Smalley, circuit heads; Ned E. Depinet, RKO vice-president and distribution chief; Andrew W. Smith, general sales manager; Robert Mochrie and Gus Schaefer of the RKO home office, and M. A. Silver, Warner Theatres zone manager.

Among guests from out of town was Harry Goldstein, Paramount manager in Cleveland. M. N. Grassgreen, 20th Century-Fox branch head here, assisted Golding in the arrangements.

J. R. Grainger Leaves On Four-Week Trip

James R. Grainger, president of Republic, left by plane last night for a field trip and studio visit. His first stop is Buffalo, and he planned to visit exchanges in Detroit, Chicago, Des Moines, Omaha, Denver and San Francisco.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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G. E. 'Freezing' of Radio Models May Retard Television

WASHINGTON, April 28.—The action of General Electric in announcing that it will produce no new radio set models after introduction of the 1941-'42 line may have a deterrent effect on television if the movement to "freeze" pr[illegible]ion in the interest of national de[illegible] spreads, it was admitted today by FCC Chairman James L. Fly.

Fly questioned the need for a general abandonment of new models but refused to conjecture whether such action would have any effect on the commercialization of television, a subject now under consideration by the commission.

G. E., over the weekend, stated that it would "freeze" all radio receiving set models during the period of the emergency. It was explained yesterday that new models will be shown in June to the trade for sale in the Fall and that these models will not be altered until after the emergency is over. The line includes at least one television receiver and a full line of FM sets, it was said.

A spokesman for the company explained that orders for heavy machinery were taxing the personnel resources of the company and that radio engineers were needed for aircraft radio equipment. Discontinuance of new models will free these engineers for other work, it was explained. G. E. has a large number of orders for FM transmitters on hand but is accepting all such orders subject to priorities required by Government orders, it was said.

At RCA it was stated that that company has a line of receivers planned for the 1941-42 season and that there was no reason at present to make plans beyond that time.

A. F. M. May Appeal Opera-On-Tour Case

Henry A. Friedman, attorney for the American Federation of Musicians, stated yesterday that the decision of the N. Y. Court of Appeals last week in the Opera-on-Tour case, involving the use of music by recordings in place of an orchestra, was being studied for possible grounds for appeal to the U. S. Supreme Court. Pending a decision to carry the case to the high court, no consideration is being given by the union to further action, it was stated.

RCA Completes Bank Loan of $15,000,000

RCA has borrowed the final $10,000,000 under the $15,000,000 loan which was arranged with banks last Fall. The loan is for five years with interest at 1½ per cent.

Enlarge WRJN Studio

BURLINGTON, Wis., April 28.—Station WRJN, Racine, Wis., has enlarged its local studios and added office facilities for its manager, Al Gale.

Eddie Conrad Dies

HOLLYWOOD, April 28.—Eddie Conrad, 50, film and vaudeville comedian, died here yesterday. He had worked for various studios since 1935.

Off the Antenna

METROPOLITAN OPERA broadcasts will continue to be heard over NBC-Blue and NBC short wave to Latin America under the sponsorship of the Texas Co., it was announced yesterday. A hookup of 131 Blue stations again will carry the program, it was said. The deal was reported to be similar in nature to that of the past season, with the sponsor paying a flat sum for the rights and station time. The 16-week season is scheduled to open in December with broadcasts each Saturday beginning at 2 P.M.

• • •

Program News: *Howard Barlow and the Columbia Broadcasting Symphony Orchestra will start their 15th season over CBS Sunday, May 11, 3-4 P.M. The Summer series will last 22 weeks. . . . Prudential Insurance Co. has renewed "When a Girl Marries" over 52 CBS stations for the third year. . . . Elmer F. Andrews, former Federal Wages and Hours Administrator, will start a "Labor News" series over WMCA Monday. He will be heard Mondays, Wednesdays and Fridays 7-7:15 P.M. . . . Cocoa-Cola has renewed "The Pause That Refreshes On the Air" for 26 weeks over CBS. On June 29, it will shift time from 4:30 P.M. Sundays to 8 P.M.*

• • •

The Brooklyn station formed through the merger of WLTH, WARD, WVFW and WBBC will start operation under the call letters WBYN this week, probably on Thursday, it was stated yesterday. A certificate changing the corporation's name from the Unified Broadcasting Corp. of Brooklyn to WBYN-Brooklyn, Inc., has been filed with the Secretary of State by Arthur J. Homans, attorney.

• • •

Purely Personal: *Mrs. William H. Corwith, past president of the American Legion Auxiliary and for five years a member of its radio committee, yesterday was appointed assistant to Dr. James R. Angell, NBC educational director. . . . Harry W. Pascoe, WINS continuity director, has resigned to join WAAT, Jersey City, as continuity and program director.. He will be succeeded at WINS by Albert A. Grobe, of the newcasting staff. . . . The 1941 trophy awarded annually by the New York alumni of Sigma Chi will be presented today to Wythe Williams, Mutual commentator. The award is given for outstanding public service. . . . Edwin C. Allen, formerly head of the radio division of Reynolds-Fitzgerald advertising agency, has been named manager of WIBA, Madison, Wis., to succeed William E. Walker, who has resigned to head his own advertising agency. . . . Milton Burgh, NBC news editor, has resigned, effective May 15, to join Tracy, Locke, Dawson, as head of the radio division.*

High Court to Hear Ascap Case Today

Washington, April 28.—The Supreme Court tomorrow will hear final argument on the validity of the Nebraska and Florida anti-Ascap laws, both held unconstitutional by lower Federal courts.

The Nebraska law prohibits copyright owners from organizing for the purpose of controlling fees. The Florida act was held unconstitutional because of a provision restricting the pooling of copyrights which, in effect, sought to limit the right to issue licenses to contracts based on payments per performance. The cases were scheduled to be heard today but so many decisions were delivered that there was insufficient time.

Film, Radio Heads In Lehman Group

ALBANY, April 28.—Prominent figures in the film and radio industries have been named by Gov. Herbert Lehman to a State defense information committee which will publicize New York State's role in defense activities.

The committee, which will be headed by L. Reagan McCrary, chief editorial writer for the *Daily Mirror*, will include Charles C. Pettijohn, M.P.P.D.A. general counsel; Alfred J. McCosker, Mutual Broadcasting System chairman of the board; William S. Paley, CBS president; Niles Trammell, NBC president, and Clarence Wheeler of the N. A. B., and others.

Mutual, Ascap Pact Is Expected Today

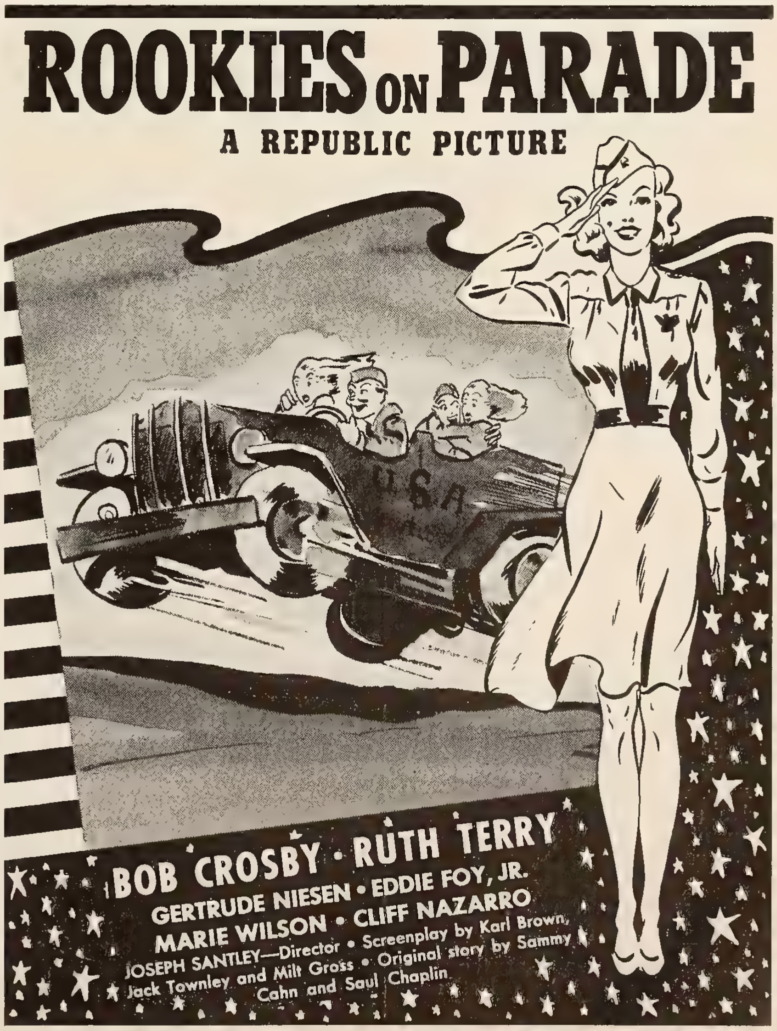
Agreement between Mutual stockholders and directors and Ascap is scheduled to be reached this morning, it was indicated yesterday after an all-day session with Mutual lawyers. The next step will be to submit the proposal to the network's affiliated stations, only the major outlets of which are represented on the board or among the stockholders.

Efforts to obtain the assent of the affiliates is expected to be speeded through use of the conference telephone or by telegraph. Mutual is thus expected to be the first network to sign up once more with Ascap, ending the controversy which started Jan. 1. The other webs are expected to fall in line shortly but not before the National Association of Broadcasters convention May 12.

WBAL Transmitter Nearing Completion

BALTIMORE, April 28.—The new 50,000-watt transmitter of WBAL, which soon will carry the station's signal with full-time power, is nearing completion on the 89-acre plot of land just beyond Baltimore's city limits. Testing of the signal is due to start this week. The three 495-foot towers have been finished, as has the special building to house the transmitter.

It is expected that, within a few weeks, WBAL's work of testing and construction will be completed and the station will start operating on full-time with 50,000 watts.


ROOKIES ON PARADE
A REPUBLIC PICTURE
U.S.A.
BOB CROSBY • RUTH TERRY
GERTRUDE NIESEN • EDDIE FOY, JR.
MARIE WILSON • CLIFF NAZARRO
JOSEPH SANTLEY—Director • Screenplay by Karl Brown, Jack Townley and Milt Gross • Original story by Sammy Cahn and Saul Chaplin

Admission Tax Rise Approval Is Anticipated

(*Continued from page* 1)

they will affect income was made apparent.

When a representative of the trucking industry protested the proposal to increase the gasoline tax one cent a gallon, committee members made it clear that they wanted to receive information on taxes but no pleas for mercy.

In the light of this implied position of the committee, it is held probable that the new tax proposals will be accepted.

On the whole, organized business is represented as not seriously opposed to the new tax bill. The United States Chamber of Commerce today opened its annual meeting with a program marked by the absence of a special session on taxation, a feature of its meetings for many years past, and the National Association of Manufacturers is said to be in accord with the desire of the administration to pay as much of the defense bill by taxes as possible.

Can Settle Disputes In Field: Rodgers

St. Louis, April 28.—Exchange managers who claim they cannot adjust differences with exhibitors but must refer them to the home offices are "just stalling," William F. Rodgers, general sales manager of M-G-M, told exhibitors here at a luncheon on Friday.

Rodgers said M-G-M has authorized its branch managers to adjust controversies, and he urged exhibitors to use the arbitration system set up under the consent decree if an agreement cannot be reached otherwise.

He pointed out that higher production costs mean higher costs to the exhibitor, and said: "It is up to the American public to offset the deficit caused by the closing of the foreign market. I have no new ideas on a possible increase in admission prices."

Accompanied by E. K. O'Shea, Central division manager, and Alan Cummings, head of exchange operations, Rodgers left here over the weekend for Dallas.

Public Wants Laugh Films, DeSylva Says

(*Continued from page* 1)

company, such as "Lady in the Dark" and "Out of the Frying Pan." He also revealed that Veronica Lake, who came to the fore in "I Wanted Wings," will have the leading feminine role in Preston Sturges' new film, "Sullivan's Travels."

Also, while he is in New York, De Sylva said he expects to meet with many of the executives and directors of the company.

Butte Operator Dies

Butte, Mont., April 28.—Alfred E. Elge, 57, projectionist at the Park Theatre here, died here last night after a long illness.

Phila. House Cuts Price for Soldiers

Philadelphia, April 28.—The Forrest, legitimate house, is the first showplace in the city to offer box-office concessions to men in uniform. Started today for the two-week engagement of "Blossom Time" and for the two weeks following for "The Student Prince," Lawrence Shubert Lawrence, manager of the house, announced that all men in uniform would be admitted at half price for all weekday performances and the Wednesday matinees.

'Zanzibar' and 'Lie' Hold Fourth Week

(*Continued from page* 1)

700 expected. Saturday and Sunday business amounted to an estimated $16,000. At the Strand the Friday through Sunday gross was about $17,800. The fourth week starts Friday.

Business generally was hurt somewhat by the mild weather, which kept many New Yorkers outdoors. Moreover, most attractions were holdovers.

"That Hamilton Woman," with a stage show, brought the Music Hall an estimated $51,000 Thursday through Sunday. The show is in its fourth week and will be replaced Thursday by "That Uncertain Feeling," with the operetta, "Madame Butterfly," on the stage. The latter will run about 105 minutes.

Gabriel Pascal's "Major Barbara," which United Artists is distributing, will have its initial showing at the Astor May 13. It will follow "I Wanted Wings" which ends its fifth week tonight with business in the neighborhood of $8,000. It did about $3,500 Saturday and Sunday.

"The Lady from Cheyenne" with a stage show gave the Roxy an estimated $14,750 Thursday through Sunday. It completes a two-week run Thursday night and will make way for "The Great American Broadcast."

Columbia Enjoined In Clearance Suit

Columbus, O., April 28.—In a suit brought by the Hudson Amusement Co., against Columbia, charging violation of two weeks' clearance over the 200-seat independent Olentangy, under contract entered into Dec. 9, Common Pleas Judge Robert P. Duncan enjoined the defendant from selling product away from the 600-seat Hudson, operated by the plaintiff as a local unit of the Midwest Booking Agency.

The plaintiff charged that, despite the availability agreed upon, the contract contained a supplemental clause agreeing to waive the clearance, provided the Olentangy would increase admission from 20 to 25 cents, but evidence was introduced to prove that this was not done. Specifically, the case involved "This Thing Called Love," which the court ruled could not be shown at the Olentangy prior to May 6, although it had been advertised for showing at this house Friday and Saturday of last week.

Block Booking Bill Is Now Law in Minn.

(*Continued from page* 1)

fected less because of its Minnesota Amusement Co. theatre affiliate in the state, to which it is permitted to sell in 100 per cent blocks under the decree.

The Governor called Sen. A. O. Sletvold of Detroit Lakes to his office to witness the signature. Sletvold had fought for the bill, getting it on special orders in the Senate, without which maneuver, observers feel certain, it would have died in the wash of unvoted bills at the close of the legislative session.

The measure was opposed by the major companies, and is expected to meet further opposition. It is reported that it will be tested by court action at the first opportunity, and there were hints of Government intervention.

Lehman Signs Bill On Child Players

Albany, April 28.—Gov. Herbert H. Lehman today signed the measure sponsored by Sen. Rodney Janes which will permit employment of child actors under 16 years in certain theatre and dramatic shows with the consent of the mayor or town executive.

No such exemptions have been lawful in the last several years, strict enforcement of the statute having hamstrung exhibitors and stage producers from employing or exploiting children in any manner. Perfunctory notice to the Society of Prevention of Cruelty to Children is provided in the new law.

Arrange Elks Tour On 'Land of Liberty'

Lewiston, Pa., April 28.—As part of an elaborate campaign on "The Land of Liberty," at the Rialto here, for which all county schools were dismissed, Paul O. Klinger, manager, arranged a tour of the local Elks Lodge to Bedford, Va.

At Bedford, national headquarters of the Elks, the film was shown yesterday to 300 guests of the Elks Home. The print was obtained through the cooperation of D. D. Stoner and J. S. Allen, managers, respectively, of the Pittsburgh and Washington M-G-M branches. The group will return here on Wednesday.

War Hits Shipments, U.A. India Head Says

Shipments from England to India have fallen off almost to zero, and even shipments from the United States have been hampered by war conditions, Carlos Moore, general manager for United Artists in India, said here yesterday.

He declared the Indian Government has been much less inclined to impose monetary restrictions since the passage of the lease-lend bill. Moore said business in India is holding up well. He pointed out that a number of prints have been lost in the sinking of cargo ships by the Axis, which has necessitated a certain amount of shifting in bookings.

One of the effects of the war in the larger Indian cities, said Moore, is the blackout, which has affected attendance in the evening.

Majors Study Plan of Action On Minn. Law

(*Continued from page* 1)

the consenting companies will decide upon.

Meanwhile, from Washington it was indicated at the Department of [illegible]ce that the law would not be perm[illegible] to stand unchallenged.

So far as could be learned, two avenues exist by which the law can be challenged, the first through resistance by the consenting distributors and the other through representations to the Federal court, should the distributors ask relief from the consent decree selling provisions. There was some indication in Washington that the Justice Department would leave the matter to the distributors initially, possibly intervening in any case which might be brought.

New York officials were awaiting the complete text of the Minnesota measure before acting further. Final interpretation of the measure by company attorneys and determination when the measure becomes effective, will be first decided before any step towards testing the law's constitutionality is taken.

Appeal Is Filed for Schenck, Moskowitz

(*Continued from page* 1)

tend that this ruling was a violation of their Constitutional right to obtain testimony in their defense from any available source. A second important error claimed was the instructions given to the jury with respect to the effect upon either party of a failure by them to call certain witnesses in their support. The appeal was filed by Harold H. Corbin, counsel for the defendants.

Federal Judge Edward A. Conger yesterday adjourned until May 5 a motion by counsel for A. C. Blumenthal to quash a subpoena which diricted Blumenthal to appear as a witness in the trial of Schenck and Moskowitz.

Seven New Pictures Approved by Legion

The National Legion of Decency approved all seven new films reviewed this week, six for adults and one for general patronage. The pictures and their classification follow:

Class A-1, Unobjectionable for General Patronage — "Mutiny in the Arctic." Class A-2, Unobjectionable for Adults—"The Black Cat," "The Cowboy and the Blonde," "The Flame of New Orleans," "For Beauty's Sake," "Penny Serenade," "The Ziegfeld Girl."

Bernhard Leaves For Zone Parleys

Joseph Bernhard, general manager of Warner Theatres, left yesterday for Chicago and Milwaukee, where he will conduct managers' meetings, and conferences with zone executives. He is accompanied by Harry Golberg, advertising manager of Warner Theatres.

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NEW YORK, N. Y.

20% Admission Tax Proposed For Dominion

Would Bring Estimated $7,000,000 Revenue

TORONTO, April 29. — A 20 per cent amusement tax was announced in the 1941 Federal budget given to the House of Commons at Ottawa today. Theatre officials were taken completely by surprise because of the recent belief that a Federal levy could be avoided on the ground that it would be an inconvenience.

The proposed tax is estimated to bring a revenue of $7,000,000 a year to the Dominion Government, apart from the $2,000,000 a year now collected by provincial governments, except Ontario.

Theatre interests plan to ask an interpretation of the scope of the proposed tax, as Finance Minister J. R.

(*Continued on page* 9)

Arbitration Fight Won by Robbins

The Appellate Division of the N. Y. Supreme Court in Kings County yesterday unanimously reversed the stay of arbitration action granted by Judge Aldrich of the Westchester County Supreme Court, in the case of Herman Robbins, Toby Gruen and National Screen Service against Charles Casanave.

The decision requires that Casanave immediately submit to arbitration of allegations that he improperly made secret agreements to obtain profits for himself. At the same time there is pending in the N. Y. County Supreme Court an action, which is expected to come to trial next week, seeking to recover from Casanave $45,000 he is

(*Continued on page* 4)

Ascap Laws Argued Before High Court

WASHINGTON, April 29.—The Supreme Court will complete consideration tomorrow of the constitutionality arguments concerning anti-Ascap laws in Florida and Nebraska.

A defense of the Nebraska law, by William H. Hotz, special assistant to the Nebraska attorney general, and an attack on the statute by Thomas

(*Continued on page* 4)

Illinois Bill Asks 10% Ticket Levy

Springfield, Ill., April 29.—A bill was introduced in the Illinois legislature today to levy a 10 per cent tax on admissions to all amusements, including theatres.

If the Federal tax exemption is reduced to nine cents, as is expected, patrons in Illinois would be forced to pay admission taxes totaling approximately 20 per cent on all tickets of 10 cents and more.

'Specials' Not Permitted by New Minn. Law

All films sold as "specials" on separate contracts cannot be offered in that manner in Minnesota under the state's new anti-consent decree law, New York distribution executives said yesterday they have been advised by their attorneys.

The law, in this respect, will affect such pictures as Selznick-International's "Gone With the Wind," distributed by M-G-M; "Meet John Doe," the Frank Capra-Robert Riskin production, distributed by Warners; Charles Chaplin's "The Great Dictator," distributed by United Artists; Orson Welles' "Citizen Kane," and Walt Disney's "Fantasia," distributed by RKO, and, likely, the Samuel

(*Continued on page* 4)

Extension of Atlas KAO Stock Option Scheduled Today

Extension of the Atlas Corp. option for the purchase of M. J. Meehan's remaining holdings of Keith-Albee-Orpheum preferred stock is scheduled to be concluded today. The Atlas option will expire tonight.

Details of the extension terms could not be learned pending conclusion of the negotiations, but it is believed the option will be extended for another 60 to 90 days. Meehan's remaining holdings of K-A-O preferred are estimated at 21,000 shares.

Eventually, it is understood, the option will be exercised beneficially for RKO, which will purchase the Meehan shares through a $9,500,000 loan from Equitable Life Assurance Society and a bank syndicate consisting of Bankers Trust Co., Irving Trust Co. and Manufacturers Trust Co. of New York, and Security First National Bank of Los Angeles. A portion of the loan also will be used for retirement of B. F. Keith Corp. 6 per cent bonds.

The two transactions will permit the consolidation of the two principal RKO theatre subsidiaries.

20th-Fox Executives To Coast for Parley

Sidney R. Kent, 20th Century-Fox president, will head a group of company executives who will leave here over the weekend for the Coast for production conferences with studio executives on the new season's program.

It is expected the discussion will concern the designation of the first groups of five pictures each to be released by the company for the new

(*Continued on page* 4)

Theatres Are Replacing Men Ushers With Girls

The replacement of men ushers with girls, as a general theatre policy because of the draft, is spreading across the country, with Buffalo one of the first of the larger cities to take steps in that direction.

A similar situation in American theatres existed when this country entered the World War in 1917, and the draft depleted the forces of ushers to a marked extent.

Richard Kemper, managing director of the Twentieth Century Theatre in Buffalo, has already begun the hiring of girls to replace all men members of the service staff, with Harry How-

(*Continued on page* 9)

Fishman President Of Allied of Conn.

NEW HAVEN, April 29.—Dr. J. B. Fishman today was unanimously elected president of Allied Theatre Owners of Connecticut. Other new officers are: Charles Repass and Ralph Pasho, vice-presidents; Joseph Shulman, treasurer, and Lawrence A. Kaplan, executive secretary. The board of directors includes Joseph Reed, chairman; Daniel Pouzzner, Maurice Bailey, A. M. Shuman, Martin Keleher, Samuel Hadelman, Leo Bonoff, Morris Jacobson, Jack Schwartz and Barney Calechman.

O'Connor and Meyers to Go To Universal

No Decision Made Yet on Successors at RKO

By SAM SHAIN

John J. O'Connor, vice-president and general manager of RKO Theatres, and Fred Meyers, chief film buyer and booker for the circuit, who recently resigned from their respective positions, will shortly become associated with Universal Pictures, according to advices from California.

Inquiry at RKO headquarters reveals that no decision regarding their successors has been made.

That O'Connor and Meyers would likely become associated with Universal was indicated in MOTION PICTURE DAILY on April 25 when it was first learned that the two had resigned from RKO.

Nate J. Blumberg, president of Universal, is expected to return here from studio conferences on May 5, when the O'Connor and Meyers affiliation with Universal is expected to be officially designated.

Missouri Clearance Case Is Conciliated

ST. LOUIS, April 29.—The clearance complaint of the Shirley Theatre Corp., operating the Rialto, Cape Girardeau, Mo., against all five consenting companies was conciliated by the parties involved and was withdrawn at the local arbitration board here today.

An adjustment of the clearance over the Rialto held by certain Fox Midwest theatres was effected voluntarily, it was reported. The case had been scheduled for hearing April 17 but was postponed to May 1 to await the outcome of the conciliation discussions.

The only other case of record here, that of the Sosna Theatre, Mexico,

(*Continued on page* 9)

In Today's Issue

"Lady from Louisiana" is reviewed on Page 4. Critics' Quotes on new pictures and Hollywood production news, Page 12. NBC will operate its international short wave on 24-hour basis, Page 10.

Coast Flashes

Hollywood, April 29

GRAHAM BAKER was signed today by George J. Schaefer, RKO president, as producer. He will take over films previously assigned to Robert Sisk. It is understood Baker will retain his interest with Gene Towne in The Play's the Thing Productions, which has been releasing through RKO. On Baker's schedule are "Valley of the Sun," "Through the Thin Wall", starring Charles Laughton, and "Sister Carrie."

•

The Newspaper Correspondents Committee, headed by Douglas Churchill of the *New York Times,* held a closed meeting today on the Coast preview situation. No statement was given out after the session. The group will meet again in two weeks.

•

Columbia today completed arrangements for "Martin Eden," Jack London story, which will be produced under the supervision of B. P. Schulberg.

Personal Mention

LEO SPITZ will arrive here today from the Coast.

•

SYDNEY LEHMAN, United Artists Buffalo branch manager, has returned from Syracuse, where he had been confined to a hospital as a result of an automobile accident.

•

O. F. SULLIVAN, operator of the Civic and West Theatres, Wichita, Kan., has been elected to the Wichita City Commission.

•

CHARLES DUTKIN, general manager of the Favin Theatre circuit in Pennsylvania, is recovering from an illness at Naval Hospital, Philadelphia.

•

HARRY WENZEL, Advertising Accessories manager in New Haven, is the father of a son, born late last week at New Haven Hospital.

•

ELEANOR C. HURST, with Warners at Johnstown, Pa., and LIEUT. REED L. SEELY will be married late in the Summer.

EDWARD C. RAFTERY, United Artists attorney, has left for Hollywood for U. A. conferences.

•

RUBY ZWERLING today begins his 14th year as orchestra leader at Loew's State.

•

A. C. HAYMAN, managing director of the Lafayette in Buffalo, has returned from Florida.

•

G. W. OWENS, exhibitor in Seymour, Mo., has recovered from an illness.

•

GEORGE SOMMA of the Republic exchange in New Haven, and Anne Cerillo of New Haven, have become engaged.

•

AL COXE, manager of the Kingston Theatre, Kingston, Pa., is recovering from a recent illness.

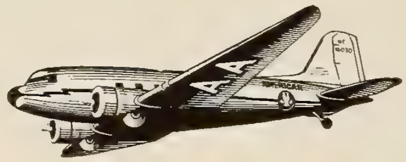
•

ISAAC REFOWICH, head of the Refowich Theatre Co., Freeland, Pa., has returned from Miami.

RKO Board to Hear Of Breen Discussion

HOLLYWOOD, April 29.—RKO's board of directors will be informed about the proposed deal with Joseph I. Breen at their next meeting, which is expected to be on Thursday in New York. Breen has had conversations with George J. Schaefer, president, regarding taking over the top administrative post of RKO's studios, but there has been no deal set.

Breen is expected to remain on the Coast until a successor to his post as head of the Production Code Administration has been named. Therefore, he is not coming East at this time, although RKO officials had hoped to have him come to New York with Schaefer for the premiere of "Citizen Kane" at the Palace Theatre Thursday night. Schaefer will arrive in New York tomorrow.



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ROUTE OF THE FLAGSHIPS

'Warner Follies' Is Hit at Capital House

WASHINGTON, April 29.—Such a smash hit was the first annual "Warner Follies," presented Saturday midnight at the Earle Theatre for 2,000 invited guests, plans already are being made for next year's show.

Performed by employes of the Warner organization here, from rookie ushers to house managers and key executives, the "Follies" was a melange of dancing, singing, satirical blackouts, specialties and ensemble numbers.

Dedicated to John J. Payette, Warner Theatres zone manager—"whose sympathetic interest made this show possible"—the "Follies" *piece de resistance* was a chorus line of 16 neighborhood house managers, giving their version of a number done on the Earle stage by the Roxyettes.

N. P. Pery Far East Chief for Columbia

N. P. Pery, formerly of Columbia's Continental European sales staff, has been named manager for the company in Australasia and the Far East. He will leave for Hollywood in a few days and will go to Australia by clipper to establish headquarters in Sydney.

Pery served at the Columbia home office and with the company's British sales organization before being made Continental European sales manager. He returned to America several months ago and recently opened a new Columbia sales office in Puerto Rico.

Luncheon for Korson

PHILADELPHIA, April 29. — Louis Korson, veteran of the local industry, will be tendered a testimonial luncheon by the local Variety Club before he retires on May 27, when he leaves for California. For many years he was the owner of Masterpiece Film Attractions, Inc., independent exchange.

Arthur Kelly on Coast

HOLLYWOOD, April 29.—Arthur W. Kelly, U. A. sales head, has arrived here for conferences with Maurice Silverstone, U. A. chief executive.

Newsreel Parade

THE defense program occupies a good deal of the footage in the latest newsreel issues with sports subjects getting attention. Secretaries Hull and Knox talk on aid to Britain, a new tank is shown in Detroit, and the Penn and Drake relays are the sports highlights. Here are th contents:

MOVIETONE NEWS, No. 67—Hull discusses aid to England; Knox at publishers meeting. "American Mother of 1940" become a grandmother in Kentucky. Bathing beauties in California. Air corps training in Texas. New tank in Detroit. Long Island dog has 13 pups. Penn and Drake relays. Officers' sons box at Annapolis. Wood Memorial race at Jamaica.

NEWS OF THE DAY, No. 265—Army cable in Kansas. Coast defense guns roar in New Jersey. Air show in Trenton. Hull and Knox on aid. Girls at Marineland, Fla. Penn and Drake relays. Track meet in Los Angeles.

PARAMOUNT NEWS, No. 70—Twin convention in Texas. Italian naval aide leaves for home. Henry Ford inspects new bomber at Dearborn, Mich. Windsors return to Bahamas. Girls at Marineland, Fla. Lindbergh urges isolation. Hull in talk. Knox before the publishers meeting. Wood Memorial at Jamaica. Penn and Drake relays. Los Angeles track meet. Youngsters box at Annapolis.

RKO PATHE NEWS, No. 70—New tank in Detroit. Italian aide leaves Washington by request. Hull urges aid to Britain. California soldiers on spare time. New naval testing base in Maryland. Yachting season opens in San Francisco. Beauty contest in Long Beach. Officers' sons box in Annapolis. Penn and Drake relays.

UNIVERSAL NEWSREEL, No. 975—Hull urges aid. Morgenthau asks more taxes. New tank in Detroit. Henry Ford inspects new bomber in Detroit. Canadian air marshal here. Anti-aircraft practice in Washington. Girls in Marineland, Fla. Drake and Penn relays. Annapolis juniors in boxing matches. Wood Memorial at Jamaica.

Sale Tonight Ends Art Exhibit of SPG

An auction tonight will bring to a close the 11-day art exhibit of the Screen Publicists Guild, held at the Barbizon-Plaza Gallery. The show, sponsored by leading film personalities, presented the work of employes at the home offices of the major companies.

Hays in Midwest

Will H. Hays is expected to remain in the Midwest for another two weeks for a vacation and rest, MPPDA headquarters here reported yesterday.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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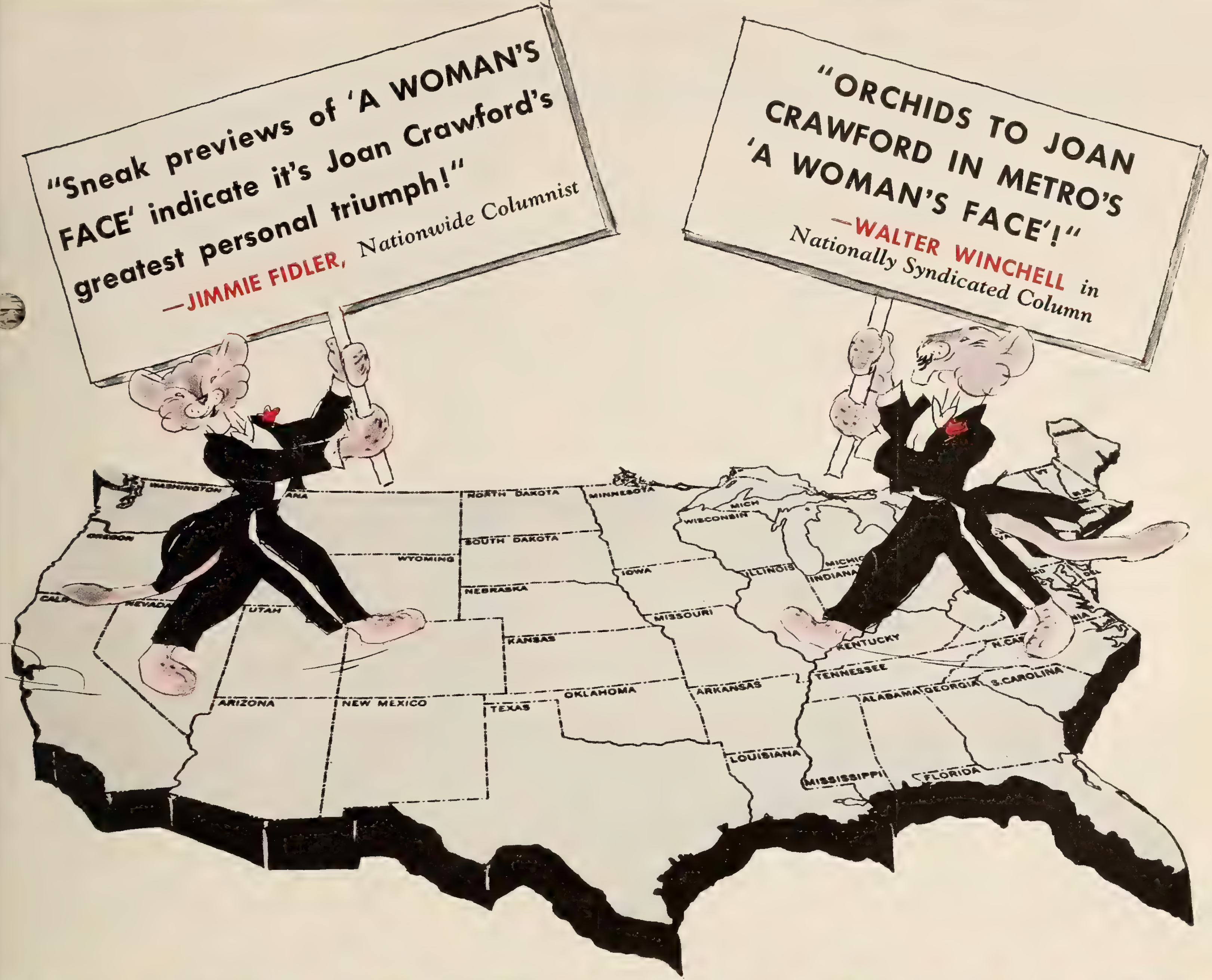
"Sneak previews of 'A WOMAN'S FACE' indicate it's Joan Crawford's greatest personal triumph!"
—JIMMIE FIDLER, Nationwide Columnist
"ORCHIDS TO JOAN CRAWFORD IN METRO'S 'A WOMAN'S FACE'!"
—WALTER WINCHELL in Nationally Syndicated Column
WASHINGTON
OREGON
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NEVADA
UTAH
ARIZONA
WYOMING
NEW MEXICO
NORTH DAKOTA
SOUTH DAKOTA
NEBRASKA
KANSAS
OKLAHOMA
TEXAS
MINNESOTA
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GOOD NEWS TRAVELS FAST!

"A WOMAN'S FACE"

starring **JOAN CRAWFORD**

MELVYN DOUGLAS

with

CONRAD VEIDT

Osa Massen • Reginald Owen
Albert Basserman • Marjorie
Main • Donald Meek • Screen
Play by Donald Ogden Stewart
and Elliot Paul • Produced by
VICTOR SAVILLE

Directed by the man who
made "Philadelphia Story"
GEORGE CUKOR

it started as a whisper...

coast-to-coast columnists spread it...

now all America will say:

"'A WOMAN'S FACE' IS YOUR FORTUNE!"

(from M-G-M, of course)

'Specials' Not Permitted by New Minn. Law

(Continued from page 1)

Goldwyn productions to be distributed by the same company.

In addition, the same prohibition against "specials" would apply to the operations of the non-consenting companies, Universal, Columbia and United Artists.

Distributors, however, will not be prohibited from renting theatres in Minnesota and conducting roadshow engagements there, providing the roadshow attractions are offered with the distributors' product for general release engagements.

The distribution companies yesterday formally decided to initiate a court test of the validity of the Minnesota law, and steps to bring about such a court test are expected to be completed within a few days.

If no final decision on the validity of the law has been handed down by next Sept. 1, when the sales provisions of the Federal consent decree go into effect, the companies will be obliged to petition Judge Henry W. Goddard for an exemption from the decree for their Minnesota sales.

Whether or not United Artists, which opposed the Minnesota measure at public hearings, will join in the move to test the law is believed to depend upon legal interpretations of some of its terms.

For example, the law states: "The term 'all the feature motion pictures' which the distributor will license during the exhibition season, or the unexpired portion thereof . . . shall apply to each producer for whom the distributor is acting."

Under some legal interpretations this is believed to mean that United Artists could continue to sell under its present system, that is, making separate contracts for the output of its individual producers. If this interpretation is sustained, United Artists might find no basis for opposition to the measure.

However, the 20 per cent cancellation provision of the Minnesota law would apply to such individual contracts covering three or more "feature motion pictures," and the company might oppose the measure on the grounds that the cancellation of one in three pictures, the maximum supplied by most of its producers, is "unreasonable and discriminatory."

Arbitration Fight Won by Robbins

(Continued from page 1)

alleged to have received while employed by National Screen Service.

Louis Nizer argued the case before the Appellate Division as counsel for National Screen. He claimed the company had the right to terminate Casanave's contract because of his alleged disloyalty, while Gustave Simons, attorney for Casanave, contended the action to recover $45,000 deprived NSS of the right to arbitrate under its employment contract. The court held NSS had the right to arbitrate termination of the contract and also to sue for the recovery of the $45,000.

Feature Review

"Lady from Louisiana"

(Republic)

SET in New Orleans around 1885, "Lady from Louisiana" is a romantic tale of a Southern belle and a hard-hitting young lawyer from Rhode Island who has come to the Mardi Gras city to do battle with the interests which control the state lottery. Complication number one sets in when the lawyer finds that it is the girl's family which is operating the lottery.

John Wayne is the lawyer, Ona Munson is the girl, while Ray Middleton is the blackguard who perverts the lottery from its intended charitable purposes to his own profits. Wayne is brought to New Orleans by Helen Westley, a meddlesome reformer, but she is shocked to learn that he already has fallen in love with Miss Munson. The latter's father, Henry Stephenson, operates the lottery until he is murdered by Middleton and then Miss Munson takes over.

Thinking that it was Wayne who caused her father's death, she joins with Middleton and his henchmen. Ultimately, she discovers that vice, racketeering, death and even inadequate flood control are involved with the lottery. The climax is reached in a big flood scene when the levees break and the city is threatened with extinction.

Interspersed in the telling of the story is the annual Mardi Gras and entertainment at the New Orleans cabarets. Although the pace is occasionally slow there are a number of lively performances by members of the cast. Bernard Vorhaus was associate producer and director.

Running time, 82 minutes. "G."* EDWARD GREIF

"G" denotes general classification.

Blumberg Acquires 'U' Stock Warrants

WASHINGTON, April 29.—Nathan J. Blumberg, president, received from Universal Corp. 5,000 common voting trust certificate warrants as compensation under an employment agreement, the Securities and Exchange Commission reported tonight.

The only other film transactions disclosed were a June, 1939, report showing Louis Phillips had acquired 200 shares of Pathe Film common stock through his wife, and a November, 1938, report of a similar 200 share acquisition; and a December, 1940, report for Harry Cohn, president of Columbia Pictures, showing the disposition by gift of 100 shares of common stock and the closing out of the Joan Perry Account of 2,160 shares of common.

Reports on the holdings of persons becoming officers of corporations showed that Malin Craig, Washington, D. C., held CBS securities when he became a director on March 5, and John M. Whitaker, Jersey City, held no RKO stock when he became a director Dec. 26, last.

U. S. Cites Gifts to Bioff in Tax Case

LOS ANGELES, April 29.—Willie Bioff, former Coast IATSE leader, failed to report gifts of stock, household furnishings and $120,000 in cash in his income tax returns for 1936 and 1937, the Government charged in a bill of particulars filed here today.

The lengthy bill, demanded by attorneys for Bioff, cited various alleged sources of income, including "persons and corporations, unknown to us at this time." Bioff's trial on two counts of income tax evasion is scheduled for June 24. Bioff, according to the Government, reported income of $57,020 in 1936 and $7,205 in 1937, whereas it is contended that he should have reported $27,853 more in 1936 and $169,211 in 1937.

Charges to Be Filed Against Cartoonists

HOLLYWOOD, April 29.—William R. Walsh, acting regional N.L.R.B. director, today told representatives of the Federation of Screen Cartoonists, at one time designated by the board as the collective bargaining agency for Walt Disney employes, that he would recommend to the board that a complaint be filed charging the organization with being a company union.

The action came at a conference attended also by Screen Cartoonists, Local 852, A.F.L., which has charged Disney with unfair labor practices. The Federation insisted it still had a majority of workers. Walsh said that before a new election could be held, the board must dispose of the company union charge.

Eastman Kodak Sales Show 24% Increase

Sales in the Western Hemisphere during the first 12 weeks of 1941 by Eastman Kodak totaled $30,936,409, an increase of 24 per cent over the same period last year, Thomas J. Hargrave, vice-president, declared at the annual meeting of the company yesterday. Defense orders on hand exceed $36,000,000, he said. Because of the war situation, figures for countries outside this hemisphere are omitted from reports.

20th-Fox Executives To Coast for Parley

(Continued from page 1)

season under the provisions of the consent decree.

Accompanying Kent will be William C. Gehring, Central division manager; William Sussman, Eastern division manager; William Kupper, Western division manager, and Charles E. McCarthy, director of advertising and publicity. Herman Wobber, general sales manager, is already on the Coast.

F P Canadian Will Have Only 1 Bond Issue Outstanding

TORONTO, April 29.—Famous Players Canadian Corp., having issued notice that all outstanding Series A first mortgage bonds, amounting to $350,000 and maturing in 1942, have been called for redemption on June [illegible] will retire them at a price of $101 for each $100 par value and payment will also be made of accrued interest.

After the issue has been redeemed, Famous Players will have outstanding only one issue, the 4½ per cent bonds which are scheduled to mature in 1951, amounting to $5,192,000. It is further stated that mortgages on theatre properties having more than one year to run also have been reduced to $296,614 from $451,000 during the past 12 months.

Eastern Theatres, Ltd., Famous Players subsidiary operating the Imperial here, reports net profit for 1940 of $49,377, compared to 1939 profit of $41,905. Taxes last year jumped to $30,343, from $10,654 in 1939. All outstanding seven per cent preferred shares have been redeemed at $110.

Toronto Theatre Firm Pays on Preferred

TORONTO, April 29.—Dividends equal to 12 per cent were paid on the preferred shares of the Strand Hamilton Theatre, Ltd., Toronto, during 1940, bringing payments to Jan. 31, 1934, according to the financial report of the company, which operates the Strand in Hamilton, Ont. Net profit for the year was $6,248, compared with $9,141 in 1939.

Taxes Cut Profit of Ontario Theatre Firm

TORONTO, April 29.—Income and excess profits taxes for 1940 at $3,330 were more than double for Paramount Kitchener Theatres, Ltd., which operates a theatre at Kitchener, Ont., and the increase in net income was wiped out by the tax item, the net profit of $6,184 comparing with $6,151 for the previous year.

Ascap Laws Argued Before High Court

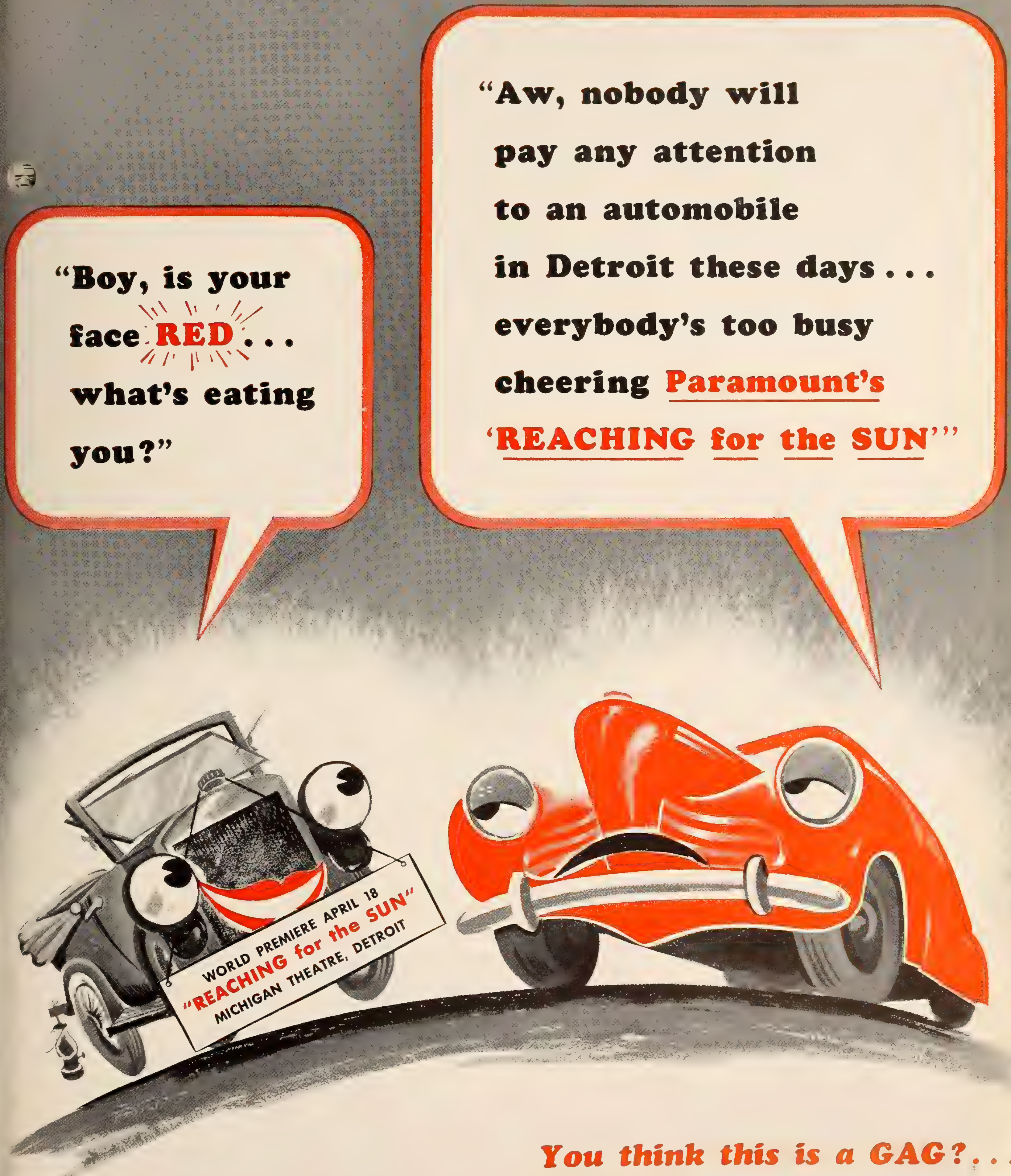
(Continued from page 1)

G. Haight, Ascap attorney, were heard by the court today. Florida officials will defend that state's anti-Ascap law tomorrow. Both state measures have been held invalid by Federal statutory courts.

Hotz urged the high court to reverse the Nebraska decision on the ground that the invalidity of one provision should not be permitted to nullify the entire law. He admitted that a copyright is a monopoly but contended that copyright owners cannot combine as they have in Ascap, which he designated "the worst kind of monopoly."

Haight argued on both the Nebraska and Florida laws, declaring the former is the worst of the two but that "all of these laws take away from Ascap those rights which individuals cannot enforce."

Blanket licenses, he argued, reduce the cost of music to the consumer and should not be outlawed. He declared that Ascap is like a labor union, in that by bargaining collectively the individual can get more for his work.


"Boy, is your face RED... what's eating you?"
"Aw, nobody will pay any attention to an automobile in Detroit these days... everybody's too busy cheering Paramount's 'REACHING for the SUN'"
WORLD PREMIERE APRIL 18 "REACHING for the SUN" MICHIGAN THEATRE, DETROIT

You think this is a GAG?...
__SHIFT__ to the next page→

Paramount's
"REACHING FO
rates audience rav

Here are just a few p
ing audience, who we
what they thought abo

"I think it a very interesting picture and very true to life."—*Mrs. Allen C. Iler, 4407 Buckingham Ave.*

"A very fine picture and so well played—Benny Hogan (the part of Eddie Bracken) appealed to me—a very true-to-life story. I enjoyed it a great deal."
—*Mrs. Don G. Smith, 3555 Beaconsfield Ave.*

"I enjoyed the picture very much."
—*Kenneth M. Durie, 810 Coplin Ave.*

"I enjoyed the picture because of the many humorous situations, particularly the wading scene."
Miss Jeanne Lennebacker, 3612 Bagley Ave.

MICHIGAN
JOEL McCREA
ELLEN DREW
Eddie Bracken
WORLD PREMIERE
"REA

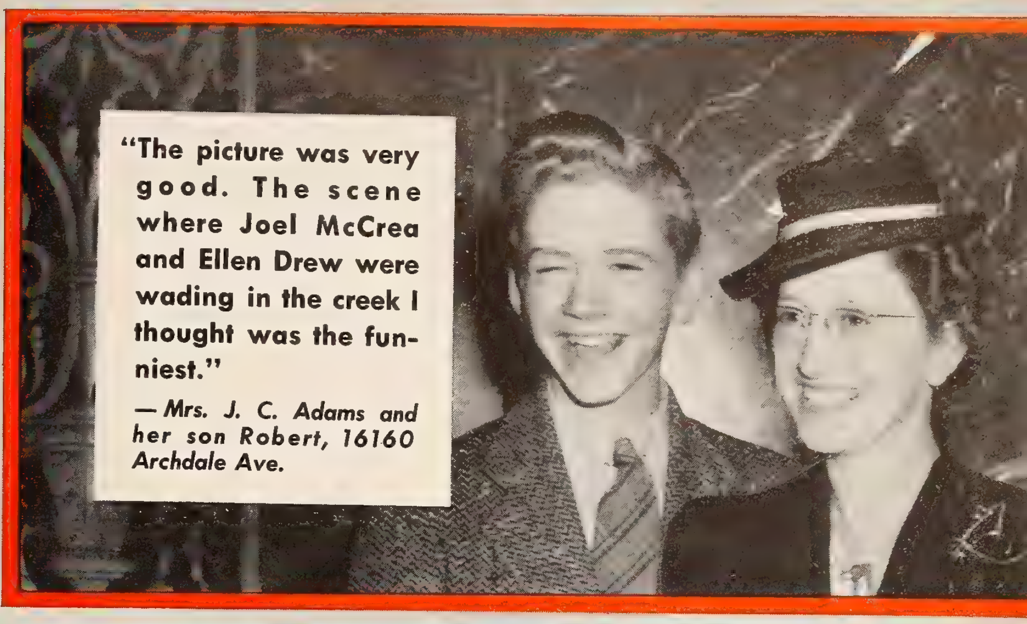
"Plenty of excitement, plenty of laughs, good joking, good old rough fighting, and very good acting all the way around."
—*Mr. Frank Schutzler, 23720 Shakespeare Ave.*

"I've gotten more enjoyment out of 'Reaching for the Sun' than any picture in a long time. I got a lot of laughs."
—*Mrs. Frank Schutzler*

Crowds, crowds and still more crowds at the World Premiere of this great audience picture as Paramount's streamlined laugh and love hit rolls up record business!

R THE SUN"
es in Detroit!

ore, out of a pay-
e delighted to tell
ut this grand hit!



"The picture was very good. The scene where Joel McCrea and Ellen Drew were wading in the creek I thought was the funniest."

— Mrs. J. C. Adams and her son Robert, 16160 Archdale Ave.

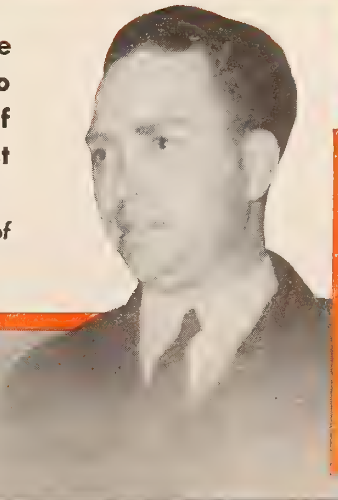
MICHIGAN
HING FOR THE SUN"

" 'Reaching for the Sun' contained humor, drama and action—all of which are rarely found in one picture."

—Miss Marjorie Bean, 2041 Longfellow Ave.

"I considered the picture very realistic. There were just enough touches of refreshing humor. I was very pleasantly surprised."

—Miss Jean Hunt, 1444 Edison Ave.



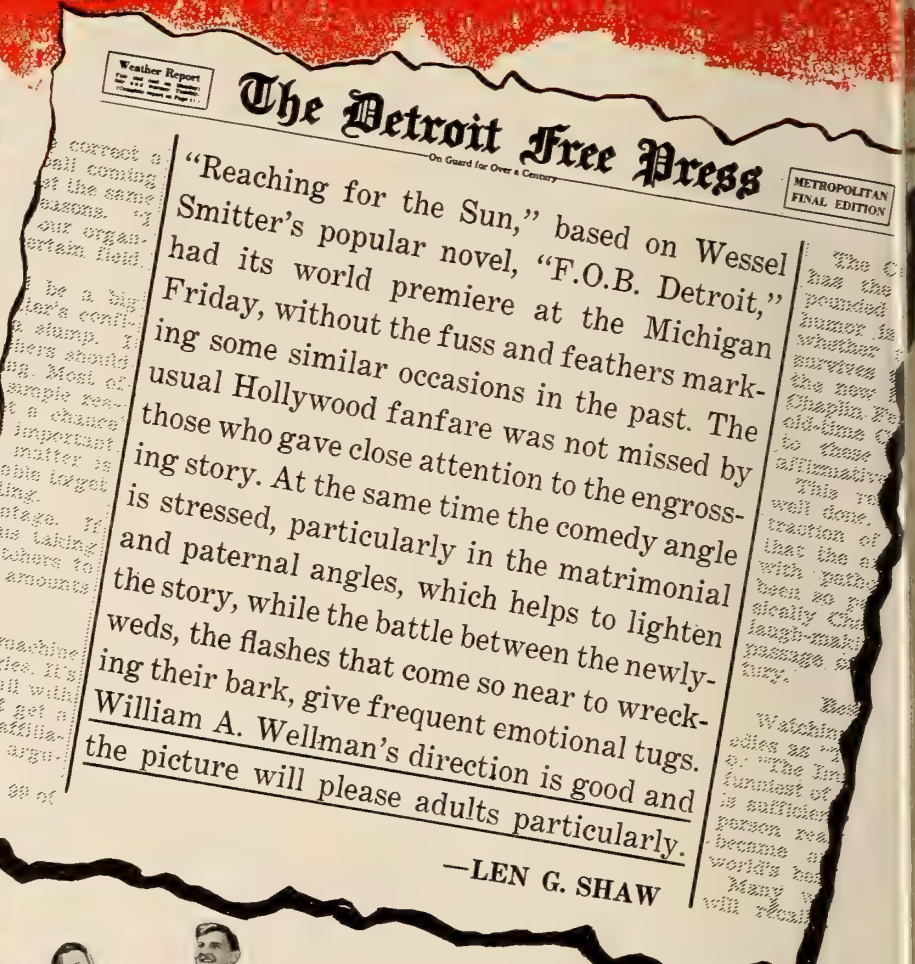
"The picture 'Reaching for the Sun' was very impressive to me because of the scenes of outdoor life, as well as the vast machine operations."

—Robert L. Welborn, Salesman of 9374 Woodside Ave.

"I knew Smitter—sat beside him in classes at U. of M. and took quite an interest in his book and the picture. Good work."

—Austin H. Smith, Box 101

"I've read the reports from Detroit and Los Angeles on Paramount's 'REACHING FOR THE SUN' ...and I want to date it right now!" *



The Detroit Free Press

On Guard for Over a Century

METROPOLITAN FINAL EDITION

"Reaching for the Sun," based on Wessel Smitter's popular novel, "F.O.B. Detroit," had its world premiere at the Michigan Friday, without the fuss and feathers marking some similar occasions in the past. The usual Hollywood fanfare was not missed by those who gave close attention to the engrossing story. At the same time the comedy angle is stressed, particularly in the matrimonial and paternal angles, which helps to lighten the story, while the battle between the newlyweds, the flashes that come so near to wrecking their bark, give frequent emotional tugs. William A. Wellman's direction is good and the picture will please adults particularly.

—LEN G. SHAW

"Paramount's 'Reaching for the Sun' is mainly slapstick comedy . . . but the fight scene is really big stuff and thoroughly thrilling." —*James Francis Crow, Los Angeles Citizen News*

"Paramount's 'Reaching for the Sun' is an entertaining and delightful tragi-comedy of marriage. This definitely is one of William Wellman's inspired productions." —*Jimmy Starr, Los Angeles Evening Herald and Express*

"Paramount's 'Reaching for the Sun' is off the beaten track, a refreshing change from the repetitious similarity of much of the ordinary film material." —*Daily Variety*

"William Wellman packs all the comedy possible into his direction of Paramount's 'Reaching for the Sun' . . . a brief synopsis does not do justice to the picture's many comedy scenes." —*Hollywood Reporter*

*** *A tip to Smart Showmen: Obey that impulse! "Reaching for the Sun" is a great audience picture!***

JOEL McCREA ELLEN DREW

"REACHING FOR THE SUN"

EDDIE BRACKEN • Albert Dekker • Billy Gilbert

Produced and Directed by WILLIAM A. WELLMAN • Screen Play by W. L. River • A Paramount Picture

20% Admission Tax Proposed For Dominion

(*Continued from page* 1)

Ilsley referred only to motion picture entertainment, and he will be asked [illegible] the legitimate theatre, sports [illegible]ts and concerts will not also be taxed, as in the case of the provincial levies.

Another blow to the industry is the prohibition of all construction, alterations and additions for business property except under a special license. This is seen as putting an end to theatre construction for the duration of the war.

The present tax exemption on busiatre materials is abolished to help restrict construction work as a war measure.

The film industry is also affected by new taxes on railway and air travel tickets and long distance telephone calls and a heavy increase in corporation income levies, with an increase from 12 to 22 per cent in the excess profits tax.

Some benefits are expected in Federal requests to the provincial governments to cancel corporation and income taxes for the remainder of the war to help boost national revenue.

Changes in duty on imports from the United States are in prospect but have not yet been announced.

Ilsley is faced this year with the heavy task of budgetting for war expenditures already authorized of $1,300,000,000 and ordinary government estimates of $400,000,000, both of which are likely to be considerably higher before the year ends.

Import Tax Increase Seen as Unnecessary

TORONTO, April 29. — The Hyde Park Agreement, providing close financial and industrial relationship between the United States and Canada, for which the signatories were President Roosevelt and Prime Minister W. L. M. King, will overcome any necessity for an increase in the special war excise of 10 per cent on imports from the United States, it has been announced.

Dominion observers regard as a possibility that the super tax on imports from non-sterling countries may now be reduced insofar as goods from the United States are concerned. This levy was imposed last December for revenue purposes and also to discourage purchases from the U. S. in favor of Great Britain. The additional tax meant a considerable further outlay for the film exchanges and equipment firms in Canada.

Word is also forthcoming that a step toward free trade between the Dominion and the States is being provided in the modification of restrictions on many commodities from the U. S. These include the ban on much printed matter, advertising accessories, photographic supplies and cameras which has been effective since Dec. 2.

Retitle English Film

The title of the English film produced by Michael Balcon, which has been acquired for release in this country by Edward Small, through United Artists, has been changed from "Three Sailors" to "Three Cockeyed Sailors."

Theatres Are Replacing Men Ushers With Girls

(*Continued from page* 1)

ard, producer of the International Casino Revue, assisting in the interviewing of the girls.

Kemper reports that similar moves, to provide a "more streamlined system of personality service," already have been instituted in Chicago, Cleveland, Detroit and Cincinnati. Theatres which continue to retain men on their staffs are faced with disruption of service, since almost all ushers are within the draft age range, for the most part are unmarried, and generally are in good physical condition, making extremely likely that they will be conscripted.

It would appear, says Kemper, that the "military type" of service staff is on the way out, to be replaced by more informal service.

English Laws May Bolster Production

LONDON, April 29.—Oliver Lyttleton, president of the British Board of Trade, declared in the House of Commons today that the Government may introduce film legislation designed to maintain British production at a level to enable distributors and exhibitors to conform to quota requirements.

Members of Commons had asked Lyttleton to declare the intention of the Government, stressing the urgency of swift action and the use of the screen in British propaganda. Lyttleton indicated his hope that the legislative plans might embrace the production of propaganda films. It was emphasized that the United States is ready to show British propaganda films. The Board of Trade plans are awaiting the results of Ministry of Labor inquiries into the employment needs of the film industry.

Wis. Gains Are Not Reflected in Films

MILWAUKEE, April 29.—Despite improved business conditions in Milwaukee as reflected in higher payrolls, exhibitors are at a loss to understand the lack of improvement at the boxoffice.

According to the Wisconsin Industrial Commission, average employment during the first quarter in 1941 was up 18.8 per cent from the first quarter of last year, representing a gain of about 15,800 employes in Milwaukee.

Payroll figures indicate an average gain of $815,000 a week this year during the first quarter as compared with the same period in 1940.

Expunge Para. Claims

Federal Judge Alfred C. Coxe yesterday expunged claims of De Forest Phonofilm Corp. and General Talking Pictures Corp. of $1,000,000 each against Paramount on consent of the parties. The claims, involving alleged patent infringements, were filed in 1934 during Paramount's reorganizaiton, and the company denied liability.

Para. Sets Short Release

Paramount will release "Those We Love," one-reeler produced by Ted Lloyd for Sunshine Productions, on June 8, it was announced yesterday by Russell Holman, Eastern production head. The film is part of the Headliners series.

Whitbeck to Florida

Frank Whitbeck, M-G-M studio advertising and exploitation manager, has left here for Florida, where "The Yearling" will be filmed on location. Whitbeck arrived here from the Coast last weekend.

Col. Takes English Film

LONDON, April 29.—Columbia Pictures is reported here to have acquired the English film, "Forty-ninth Parallel," for release in the United States.

New Guild Play Gets Indifferent Notice

WASHINGTON, April 29.—"Somewhere in France," new Theatre Guild play which had its premiere last night at the National Theatre here, was indifferently received in the *Post* today by Nelson B. Bell, drama critic.

He praised the acting of Dudley Digges, Kathryn Givney, Karen Morley and other members of the large cast but, for the play by Carl Zuckmayer and Fritz Kortner, Bell reserved such adjectives as "conspicuously weak piece of playwriting," "ineffectually wordy" and "confusing."

Missouri Clearance Case Is Conciliated

(*Continued from page* 1)

Mo., against all five consenting companies over "some run," also was conciliated and withdrawn without hearing.

New Clearance Case Filed with Boston Board

BOSTON, April 29. — The Waltham Amusement Co., operator of the Grand, at Whittenton, Mass., filed a clearance complaint with the local arbitration board here today against all five consenting companies.

The complaint asks that the 14 days clearance over the Grand now held by the Strand and Park, Taunton, Mass., be reduced by an unspecified number of days.

Hearing of the Garbose Bros. clearance complaint against all five consenting companies was adjourned until May 12 following a hearing today.

Albany Complaints Heard and Continued

ALBANY, April 29.—Hearing of Albany's only two arbitration complaints of record, which were filed by the same plaintiff and are being heard jointly, was postponed for one week following a day of testimony today.

Alex Papayanakos, operator of the American Theatre at Canton, N. Y., is plaintiff in the clearance cases, one against Warners and the other against RKO. The exhibitor is acting as his own attorney in both cases. He seeks a reduction of the clearance which Schine Circuit theatres in Ogdensburg hold over the American.

ROOKIES ON PARADE
A REPUBLIC PICTURE
BOB CROSBY • RUTH TERRY
GERTRUDE NIESEN • EDDIE FOY, JR.
MARIE WILSON • CLIFF NAZARRO
JOSEPH SANTLEY—Director • Screenplay by Karl Brown, Jack Townley and Milt Gross • Original story by Sammy Cahn and Saul Chaplin

NBC Placing Short Wave on 24-Hour Basis

NBC will put is international short wave division on a 24-hour basis within the next three weeks at the request of the Government, it was learned yesterday. Now on a 19-hour schedule, the addition of the hours from 2 to 7 A.M. is being made to permit Europeans to hear American broadcasts, particularly news, early each morning.

At present, broadcasts beamed to European countries are transmitted between 7 A.M. and 4 P.M. in English, German, French, Italian, Portuguese and Spanish. No change is contemplated in the 4 P.M. to 2 A.M. schedule for broadcasts to Latin America in English, Spanish and Portuguese.

The short wave operations are under the direction of John F. Royal, vice-president in charge of international relations.

NBC operates two 50,000-watt short wave transmitters, WNBI and WRCA. Although these stations usually broadcast on separate frequencies with the same programs to avoid unpredictable atmospheric conditions, NBC has been experimenting for the past month with both stations on the same frequency. This has the effect of a 100,000-watt station, it was said, and the directional beam concentrates the signal for even greater strength. The combined transmission will be used when 24-hour operation is started, it was stated.

Department heads within the NBC international division have been ordered to submit their needs for additional personnel by the end of the week. It was said that the present staff of 64 would probably be increased to 100.

At CBS, it was said that no request had been received from the Government for an increase to 24-hour operation and that no increase in operating time was contemplated at present. Hours now extend from 8 A.M. to 1 A.M. with four half-hour intermissions.

NBC plans to increase the number of live talent programs, it was said. In particular, it is planned to invite a number of prominent refugee personalities and entertainers to appear in broadcasts which will be heard in their homelands.

NBC will start an exchange of programs with Latin American stations for seven days beginning Saturday to celebrate Music Week and this will be followed, beginning May 22, by 22 dramatized programs called "Good Neighbors," which will be broadcast here over the Red network. The series will describe activities of Latin American countries.

Off the Antenna

WQXR has completed a postcard questionnaire survey among the subscribers to the station's monthly program booklet to determine the actual use of sponsors' products among listeners. Some of the results in the respective classifications, with comparisons with 1940 rankings, were: Aqua Velva After-shave lotion, first in both years; Thomas' bread, second last year, first this time; Martinson's coffee, second both times; Sanka coffee rose from sixth to fifth; G. & D. wine, first both years; Fels-Naptha soap, rose from fifth to third; Glyco-Thymoline, from third to second, and Stromberg-Carlson radios from fifth to fourth.

• • •

Purely Personal: *Freeman Gosden and Charles Correll (Amos 'n' Andy) landed at LaGuardia Field yesterday for their annual visit here. . . . Dr. Emory Ross, general secretary of the Foreign Missions Conference of North America, has joined the CBS "Church of the Air" advisory board. . . . Ed Sullivan has signed the Hilton Sisters for his "Silver Theatre Summer Show" on CBS. . . . William F. Betts, formerly of WRVA, Richmond, Va., has joined the WJSV, Washington, engineering staff. . . . Canada Lee of "Native Son" and Frank Wilson of "Watch on the Rhine" will be guests on "Soundtrack" over WNEW at 12:30 P.M. today. . . . Monty Woolley of "Man Who Came to Dinner" will be guest of Dorothy Kilgallen over CBS Saturday. . . . Allyn Joslyn of "Arsenic and Old Lace" will be interviewed by Martin Weldon on WINS tomorrow. . . . William Strange, CBC staff author and producer, is in England gathering material for his broadcasts on the Canadian network.*

• • •

Screen and radio performers from the United States are contributing their services for broadcasts in Toronto under the auspices of CBC, according to Jack Arthur, Famous Players Canadian district manager who is in charge of musical arrangements for the Canadian War Loan campaign. The stars are paying their own expenses to Toronto. John Charles Thomas, opera singer, and Dr. Frank Black, NBC conductor, will broadcast from Toronto May 9, and others who have promised to come include Bob Hope, Fibber McGee and Molly and Jack Benny, according to Arthur.

• • •

Program News: Firestone Tire & Rubber Co. has renewed "Voice of Firestone" on 38 NBC-Red stations for an additional year, effective June 2. . . . For the fourth Summer, Wilmington Transportation Co. will sponsor "Catalina Fun Quiz" on six CBS Pacific stations. . . . "Hollywood Heartbreak," a new radio serial adapted from Adela Rogers St. John's "Fables of Filmland," will be given a tryout over WJZ Sunday during "Star Spangled Theatre." Adrienne Ames and Bert Lytell will play the lead roles.

Plan Camden Station

CAMDEN, N. J., April 29.—Construction of a commercial building has been started by the Camden Broadcasting Co., which has applied to the FCC for a license to operate a new radio station here. Aaron Heine, local attorney, is president of the new company. Heine also heads the Mack Radio Sales Co. here, which sells time for Camden's municipally-owned WCAM on a lease arrangement with the city.

Duce Gives Medals, But WOR Gives $10

In Italy Il Duce presents medals to parents, but Alfred J. McCosker, president of WOR, has decided that the station will endow each child born to WOR staff members with a $10 start on a savings account. The accounts will be with the Greenwich Savings Bank, one of WOR's oldest sponsors. First beneficiary was Geraldine Julia, daughter of Mr. and Mrs. Alexander Sanford, born last week. Sanford is a WOR engineer.

WPEN Will Drop All Foreign Programs

PHILADELPHIA, April 29.—Coinciding with its increase in power from 1,000 to 5,000 watts, Arthur Simon, general manager of WPEN, announced that all foreign language programs would be off the station by July 1. There has been a gradual decline of WPEN foreign language programs for almost a year, when such programs dominated the program schedules, with 14 hours a day. At the present time, seven hours daily are devoted to foreign language shows.

Simon also announced that by May 19, there would be no foreign shows during the evening hours. The move is to meet the objections of advertisers who refuse to follow the foreign shows on the air.

Ask FCC Approval Of New FM Station In Washington, D.C.

WASHINGTON, April 29.—A construction permit for a new FM station to operate in the 47,100-kilocycle channel to cover 5,600 square miles with a population of 899,946, has been asked of the FCC by the M. A. L[illegible] Radio Corp., Washington. The [illegible]pany is the owner of Station WMAL, operated under lease by the Washington *Star*.

Application for a construction permit also was filed by the Lake Worth Broadcasting Corp. for a 1,340-kilocyle, 250-watt station at Lake Worth, Fla., and a request for change of frequency from 920 to 940 kilocycles and increase of power from 1,000 to 5,000 watts was received from Station KTKC, Visalia, Cal.

Hearing Dates Are Set

The commission set tentative dates for hearings on broadcast applications, as follows:

May 22: Competing applications of Stephenson, Edge & Korsmeyer, and Helen L. Walton & Walter Bellatti for an 1,150-kilocycle, 250-watt daytime station at Jacksonville, Ill.

May 28: Application of Station KRBC, Abilene, Tex., for change of frequency from 1,420 to 940 kilocycles and increase of power from 250 to 1,000 watts.

June 24: Application of Station WTEL, Philadelphia, for change of frequency from 1,310 to 1,500 kilocycles, extension of time from sharing to unlimited and increase of power from 100 to 250 watts.

July 7: Application of Station KWTO, Springfield, Mo., for extension of time from day to unlimited.

New Capital Station Will Open Saturday

WASHINGTON, April 29.—Washington's newest station, WWDC, will make its debut Saturday night. The station will be the capital's sixth, and the second to be launched within the past year. WINX went into operation last Fall.

The new station will feature Associated Press news bulletins and has contracted for NBC transcriptions. Local news and activities will be emphasized. Stanley H. Horner, automobile dealer, is president of the Capital Broadcasting Co., owner and operator of WWDC. Edwin M. Spence is general manager and secretary-treasurer.

WOR, Other Stations Incorporated in N. Y.

ALBANY, April 29.—Completing its transfer of WOR from Newark to New York, Bamberger Broadcasting Service, Inc., has filed incorporation papers here. Incorporators are Alfred J. McCosker, Emanuel Dannett and Theodore C. Streibert. Leon Lauterstein was attorney.

Other radio incorporations included Utica Broadcasting Co., Inc., 500 shares, by Herbert E. Trevvett, Alex T. Herron and Samuel D. Earl; and Glen Falls Broadcasting Corp., $25,000 capital stock, by John R. McKenna, Louis P. Brown and Francis W. McGinley.

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To LOS ANGELES

Make your Spring trip to Los Angeles over the scenic Main Line Airway by daylight; or in luxurious Mainliner sleepers overnight, without change of planes. Ask about the Air Travel Credit Plan. Reservations: travel agents, hotels, or

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The WILD WAVEY BABES ARE CALLING!

Calling YOU to the

7TH

NATIONAL CONVENTION VARIETY CLUBS OF AMERICA!

MAY 15-16-17

TRAYMORE HOTEL
ATLANTIC CITY

THREE SOLID DAYS AND NIGHTS OF FUN AND PLEASURE

...YOU will mingle in the greatest turnout of industry people ever assembled!

HAPPY EXHIBITORS!
GLEEFUL DISTRIBUTORS!
GAY PRODUCERS!

. . . . All at their mellowest!

OLOGIES
PETTY

REGISTRATION FEE
(Which includes the ENTIRE round of activities:)
$20.00 Per Person
Send checks to James Balmer, Variety Clubs of America, William Penn Hotel, Pittsburgh, Pa.

FOR HOTEL RESERVATIONS:
Write Henry Friedman,
Ardmore Theatre Bldg.,
Ardmore, Pa.

THE PROGRAM:

MAY 15th
- REGISTRATION
- BOAT RIDE & FISHING PARTIES
- PRODUCER-EXHIBITOR FORUM
- MONSTER BOXING SHOW

MAY 16th
- BUSINESS SESSIONS
- VARIETY NIGHT CLUB PARTY
- CALCUTTA POOL
- "BEAT" DALLAS PARTY

MAY 17th
- GOLF TOURNAMENT
- BOARDWALK PARADE
- VARIETY CLUB CIRCUS
- UNITED ARTISTS COCKTAIL PARTY
- CONVENTION BANQUET

40 New Films Shooting; 79 Being Edited

Hollywood, April 29.—Forty pictures were before the cameras this week, as 13 finished and eight started. Twenty-nine are being prepared and 79 are being edited.

The tally by studio:

Columbia

Finished: "Betty Co-Ed," "Son of Davy Crockett."

In work: "Our Wife," "Blondie in Society."

Started: "Heaven Can Wait."

Korda (U. A.)

In work: "Illusions."

M-G-M

Finished: "Lady Be Good."

In Work: "Unholy Partners," "Bargain Basement," "The Get-Away," "Barnacle Bill."

Monogram

Started: "Wrangler's Roast," "The Gang's All Here."

Paramount

Finished: "The Great Man's Lady."

In Work: "Hold Back the Dawn," "Aloma of the South Seas," "The Parson of Panamint," "World Premiere," "Nothing But the Truth," "Henry for President," "Forced Landing."

Started: "Birth of the Blues."

RKO

Finished: "Scattergood Pulls the Strings," "Cyclone on Horseback," "Interlude."

In Work: "Before the Fact," "Tom, Dick and Harry," "The Devil and Daniel Webster," "Parachute Battalion," "The Father Takes a Wife," "Lady Scarface."

Started: "Dude Cowboy."

Republic

Finished: "Thunder Over the Ozarks," "Saddlemates."

In Work: "Angels with Broken Wings."

Started: "Nevada City."

20th Century-Fox

Finished: "Miami," "Man with the Shovel."

In Work: "Man Hunt," "Sun Valley," "Belle Starr."

Started: "Dance Hall."

Universal

Finished: "Beyond the Law," "Half Way to Shanghai."

In Work: "Abbott and Costello in the Navy," "Marshal Law."

Warners

In Work: "Sergeant York," "Dive Bomber," "Manpower," "Bad Men of Missouri," "Flight Patrol," "Navy Blues."

To Intervene in 'U' Suit

N. Y. Supreme Court Justice Carroll G. Walter has granted permission to Rene B. Meyer, holder of 100 shares of Universal Pictures common stock, to intervene as a plaintiff in the directors' suit of Samuel I. Posen against Universal and a number of other defendants.

Century Team Wins

The Century Circuit baseball team opened its season on Sunday by defeating the team representing the Brooklyn Paramount, 16-8, at Marine Park, Brooklyn.

Critics' Quotes . . .

"PENNY SERENADE" (Columbia)

A chant of marriage, a warm, humorous and touching story told in record series. . . . George Stevens, who's both director and producer, has blended hilarious comedy with deep pathos, and he has drawn real, honest portraits from his players.—*Virginia Wright, Los Angeles News.*

Has plenty of length as a picture. In fact, some of it drags interminably. When it finally reaches the more human sequences it is very good indeed.—*Edwin Schallert, Los Angeles Times.*

Although the year is far from over, I'm tempted to call George Stevens' Columbia production of "Penny Serenade" the season's best love story. It is so natural and so chuck full of human bits of comedy, romance and tragedy.—*Jimmy Starr, Los Angeles Herald and Express.*

The whole thing emerged as an effective audience picture that is remarkable for creation of mood, and that ought to prove especially appealing to woman patrons.—*James Francis Crow, Los Angeles Examiner.*

"ZIEGFELD GIRL" (M-G-M)

It's a big show filled with popular players, beautiful girls, colossal sets, old and new song numbers, and so much plot that even the two-hour production isn't long enough to take care of it all.—*Elsie Finn, Philadelphia Record.*

The glory, the glitter and the pompous parades of the Ziegfeld era in the theatre are recaptured in "Ziegfeld Girl." . . . By and large you get your money's worth.—*Henry T. Murdock, Philadelphia Ledger.*

Not only a follies show of the proportions to do justice to the late famous girl glorifier himself, but it is also a moving drama.—*Dorothy Guinan, Philadelphia Daily News.*

"THE COWBOY AND THE BLONDE" (20th-Fox)

The movie village gets a royal ribbing in 20th Century-Fox's surprise hit, "The Cowboy and the Blonde," a rip-roaring comedy of the film studios . . . loaded with laughs.—*Jimmy Starr, Los Angeles Herald and Express.*

Insiders will especially relish the smarter diologue, the conversations and comments which are familiar to those who know their filmland. . . . It should be shortened and will then qualify as a right bright "B."—*Los Angeles Times.*

"WASHINGTON MELODRAMA" (M-G-M)

A neat little mystery picture with all the earmarks of a box-office success. . . . Roy Chanslor contributed an exciting screenplay and a clever cast did the rest.—*Los Angeles Examiner.*

The picture isn't on the heavy-weight side of film programs as we know them but it will do very well as good first aid.—*Los Angeles Times.*

"ROAD TO ZANZIBAR" (Paramount)

Crosby, Hope and Lamour who hit the road so sensationally in their former hit, "Road to Singapore," have done it again on the "Road to Zanzibar." . . . It is a riot of comedy.—*Dorothy Manners, Los Angeles Examiner.*

As funny a farce as ever starred the trio . . . starts out slowly but soon gets into stride, and becomes almost riotous when there's opportunity for slapstick.—*Frank Mittauer, Los Angeles News.*

"THE LADY FROM CHEYENNE" (Universal)

A quick guess would be that the film is on the apocryphal side. . . . However, as entertainment, it is amusing.—*Garrett D. Byrnes, Providence Journal.*

I liked "The Lady from Cheyenne" a lot because after starting off like another one of Frank Lloyd's overpowering and ponderous outdoor epics it finds its real level, which is to provide a lot of fun in a satirical, impudent and, at times, bawdy manner.—*William Boehnel, New York World-Telegram.*

An amiable and ingratiating little period western roguishly festooned around the conflict over woman suffrage.—*Cecelia Ager, PM (New York).*

The picture suffers from a factor which is beyond its control. Evidently made two or three years ago, it becomes a melancholy spectacle as it continues into espionage and counter-espionage in the French countryside.—*Archer Winsten, New York Post.*

'Zanzibar' Garners $10,000, Kansas City

Kansas City, April 29.—"Road to Zanzibar" scored a strong $10,000 in the second week at the Newman. "Back in the Saddle," with a stage show at the Tower, drew $6,300.

Estimated receipts for the week ending April 22-24:

"That Night in Rio" (20th-Fox)
ESQUIRE — (800) (28c-44c) 6 days, 2nd week. Gross: $2,800. (Average, $1,900).

"Cheers for Miss Bishop" (U. A.)
"The Bad Man" (M-G-M)
MIDLAND — (3,600) (28c-44c) 7 days. Gross: $6,000. (Average, $9,500)

"Road to Zanzibar" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week. Gross: $10,000. (Average, $7,000)

"The Wagons Roll at Night" (W. B.)
"Scattergood Baines" (RKO)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $3,500. (Average, $5,000)

"Back in the Saddle" (Rep.)
TOWER — (2.200) (30c) 7 days. Stage show. Gross: $6.300. (Average, $6,000)

"That Night in Rio" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 6 days, 2nd week. Gross: $3,000. (Average, $2,500)

'Vaquero,' Air Show Lead Indianapolis

Indianapolis, April 29. — "Boone County Jamboree" came to the Lyric stage to draw $10,800, with "Ride On, Vaquero" on the screen. At the Indiana, "The Lady Eve" and "Power Dive" took $7,700. The weather was cool.

Estimated receipts for the week ending April 25:

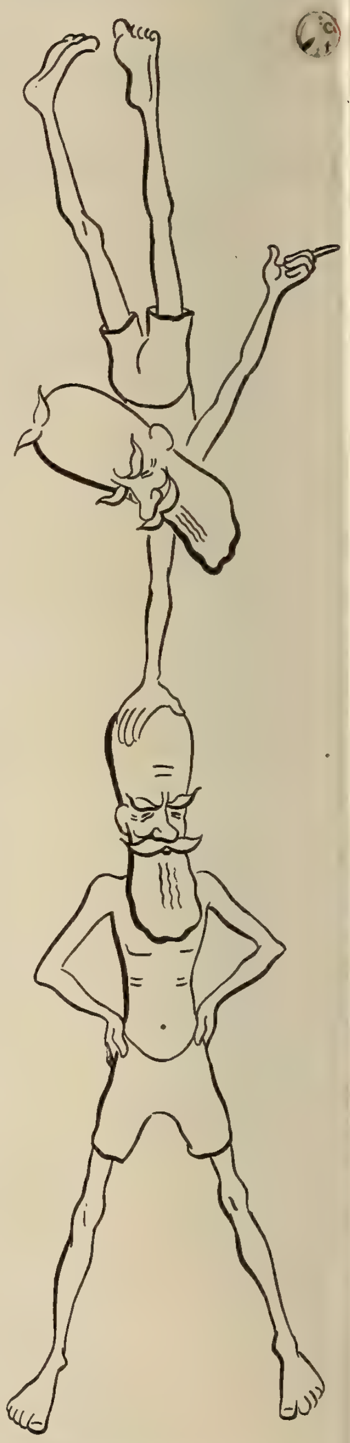
"The Devil and Miss Jones" (RKO)
"Repent at Leisure" (RKO)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $6,600. (Average, $6,000)

"The Lady Eve" (Para.)
"Power Dive" (Para.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $7,700. (Average, $6.000)

"The Great Dictator" (U. A.)
"Meet Boston Blackie" (Col.)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $6,500. (Average, $7,000)

"Ride On, Vaquero" (20th-Fox)
LYRIC — (2,000) (30c-40c-50c) 7 days. Stage: WLW's "Boone County Jamboree," with Lulubelle and Scotty. Gross: $10,800. (Average, $8,000)

GEORGE
BERNARD SHAW
TOPS
BERNARD SHAW



Gabriel Pascal, the producer of "Pygmalion", presents a magnificent picturization of George Bernard Shaw's play "MAJOR BARBARA" starring Wendy Hiller and co-starring Rex Harrison and Robert Morley.
Released thru United Artists

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A. A. A. Meets On Speedup Of Arbitration

Improvement Considered In Key City Sessions

The American Arbitration Association has started meetings with members of its panels of arbitrators at "key" local boards throughout the country to review the progress and experience of arbitration in the industry to date with a view to improving its functions and speeding up hearings.

The first meeting was in Philadelphia yesterday and the next is scheduled for Boston. Wesley A. Sturges, member of the A. A. A. administrative committee, and Yale University law professor, is conducting the sessions with J. Noble Bra-

(*Continued on page* 4)

Porter, Pioneer of Screen, Dies at 71

Edwin S. Porter, who made "The Great Train Robbery" in 1903, died early yesterday at the Hotel Taft here of a heart attack. He was 71. A brother, E. M. Porter, survives. Funeral services will be at 2 P.M. tomorrow at Cook's Funeral Parlor.

Porter is regarded as the screen's first director, and "The Great Train Robbery" is accredited as the first picture with a story.

His first association with motion pictures was in 1896 when he experimented with Thomas E. Edison's Vitascope projector. Later, with Harry Daniels, he made films in the Caribbean with the Kuhn and Web-

(*Continued on page* 2)

Seattle Houses Give Increase to Staffs

Seattle, April 30.—More than 300 employes of local film theatres will receive a pay increase of 10 per cent over current wages, and time and a half for overtime, under an agreement concluded between the theatre employes' unions and the Seattle Association of Theatre Managers.

The agreement covers ushers, doormen and cashiers in downtown and suburban houses, and will continue in force from May 1 until Jan. 1, 1943. The negotiating committee, headed by Leroy V. Johnson of Jensen-von Herberg theatres, worked four months on the contract.

Atlas Corp. Option On K-A-O Shares Extended 60 Days

The Atlas Corp. option to purchase the remaining estimated 21,000 shares of Keith-Albee-Orpheum preferred stock was extended yesterday for 60 days. The original option would have expired yesterday. Terms of the option remain unchanged.

RKO board of directors at a meeting scheduled for today is expected to approve final arrangements for a projected $9,500,000 loan from a bank syndicate and the Equitable Life Assurance Society, which ultimately will be used to acquire the Meehan shares for the RKO treasury. The balance will be used for the retirement of outstanding B. F. Keith Corp. 6 per cent bonds, which will permit the consoli-

(*Continued on page* 4)

Answers Filed In Crescent Action

Nashville, April 30.—Crescent Amusement Co., four of its officers and stockholders, and seven associated defendant theatre companies today filed additional answers in Federal Court to interrogatories in the Government's anti-trust suit against Crescent, set for trial here July 7.

Crescent's answers set out that the company's total amount of stock authorized and outstanding is 10,000 shares, with an aggregate par value of $1,000,000, all stock being of one class, with each share entitled to one vote. On the Nashville market todav, Crescent stock was quoted 160 bid, 170 asked.

The company stated it owned financial interests in four of the seven other companies filing answers today, and in other corporations which are

(*Continued on page* 7)

First Army Show at Lakehurst Thursday

First of the shows produced specifically for army camps is set for next Thursday at Lakehurst, N. J. A big variety program is planned with Eddie Cantor, Wynn Murray, Imogene Coca, Paul Kelton, George Tapps, Paul Gerrits, Haywood and Allen, June Carroll and a dancing chorus. The sponsoring group is the Army and Navy Committee on Recreation and Welfare headed by Robert E. Sherwood and George S. Kaufman.

'Kane' Will Open Its Two-a-Day Run At Palace Tonight

RKO will open the Orson Welles production, "Citizen Kane," at the RKO Palace on Broadway tonight, inaugurating the two-a-day engagement of the picture.

Prices after the opening performance, for which all tickets are priced at $2.20, are: 75 cents, 85 cents and $1.10 for weekday matinees; $1.10, $1.65 and $2.20 for all evenings, and 85 cents, $1.10 and $1.65 for Saturday, Sunday and holiday matinees.

Welles arrived yesterday by plane from the Coast to attend the opening, which will be attended by numerous industry executives, as well as stage and screen personalities. Among the executives will be:

George J. Schaefer, Floyd B. Odlum, Edwin L. Weisl, Richard C. Patterson, T. J. Connors, Peter Rathvon, Ned E. Depinet, Ben Piazza, Roy Disney, Jack Cohn, George Skouras,

(*Continued on page* 7)

Congress Considering Levy on Radio Stations

Washington, April 30.—Possibilities of raising additional Treasury revenue through taxes on broadcasting stations were disclosed today to be under consideration by the joint Congressional committee on internal revenue taxation.

A suggestion by Rep. Harry Sautoff of Wisconsin, appearing as a witness before the Ways and Means Committee, that a tax be imposed on the basis of power, elicited from Chairman Robert L. Doughton of North Carolina the comment that the

(*Continued on page* 8)

Fitzgibbons Sees Canada Tax Hurting

Ottawa, April 30.—The proposed new admission tax of 20 per cent for Canadian theatres, "which must be absorbed by the customers, is bound to have an effect on the industry and will undoubtedly develop some resistance to sales," declared J. J. Fitzgibbons, vice-president of Famous Players Canadian Corp., yesterday.

He described the tax, announced yesterday in the House of Commons

(*Continued on page* 4)

Majors May Service Minn. From Outside

Would Shut State Offices, Use Direct Mail

In distributor circles yesterday, there was serious discussion of the possibility that all other avenues to offset the Minnesota anti-block-of-five law failing, certain of the companies would consider closing their offices in Minnesota and service that state from nearby points in Wisconsin and otherwise solicit business in Minnesota by direct mail.

The Minnesota territory, it was determined in the trade, comprises about 485 theatres in about 306 cities and towns. It represents an estimated annual distribution income of $5,000,000 for all companies.

Attorneys for major distributors conferred again yesterday on plans for initiating a test of the validity of the

(*Continued on page* 7)

Schenck, Moskowitz Win Sentence Stay

When the 20th Century-Fox board of directors meets today to act upon the resignation of Joseph M. Schenck as chairman, they will be informed that Federal Judge Grover M. Moscowitz has granted Schenck and Joseph H. Moskowitz a stay of sentence and continued their bail, pending an appeal by them to the U. S. Circuit Court of Appeals. Schenck's resignation was received by the company only yesterday.

In Wall Street there were reports that John W. Davis, noted lawyer, will argue the appeal before the Circuit Court. Yesterday, in asking for a stay of sentence and in his argument for leave to appeal, Joseph

(*Continued on page* 4)

In Today's Issue

Four reviews: "Strange Alibi," "The Pioneers" (from Hollywood), "Law of the Wolf," Page 4; Hollywood review of "They Dare Not Love," Page 7. Key city grosses, Pages 5, 7, 8. NBC demonstrates color television today, Page 8.

Coast Flashes

Hollywood, April 30

VICTOR SAVILLE, producer for M-G-M, left last night for New York for several days of home office conferences.

•

Ben Goetz, M-G-M studio executive, is confined to Cedars of Lebanon Hospital for a checkup.

•

H. Bruce Humberstone, director, today sustained injuries in an automobile accident which necessitated his replacement at least for several days on "Sun Valley," 20th Century-Fox picture, by Mal St. Clair.

Douglas Attacked, Defended in House

Washington, April 30.—The patriotism of Melvyn Douglas, player, was attacked and defended today in Congress when Representative Leland M. Ford of California accused him of being a defender of Harry Bridges.

Congressman Ford charged that Douglas had not accepted an honorary military commission because of his Communistic activities and associations. The actor was strenuously defended by Representative Jerry Voorhis, who characterized him as a "patriotic American" and asserted he had declined the commission because he knew he was not physically qualified for it.

Mich. Group Backs Bill Limiting Shows

Detroit, April 30.—The board of directors of Cooperative Theatres of Michigan has passed a resolution endorsing the measure now in the Michigan House limiting the length of film theatre performances to 150 minutes.

The bill is designed to eliminate double bills. Under the bill extremely lengthy films such as "Gone With the Wind" would be permitted through the use of an intermission period at the end of the first 150 minutes of playing time.

Guild Suit Dropped By Theatre League

Formal discontinuance of the League of New York Theatres' anti-trust suit against the Dramatists Guild was announced in the New York Supreme Court yesterday when Justice Isidor Wasservogel granted the Guild permission to withdraw its motion to dismiss the complaint.

Conferences between the Guild and the League for the settlement of their differences are scheduled to start next Thursday.

Brown Takes Post As W. E. Executive

Walter L. Brown today will assume his new post as vice-president and general counsel of Western Electric. He succeeds T. Brooke Price, who becomes general attorney of the A. T. & T. Brown also succeeds Price as general counsel for Erpi and other Western Electric subsidiaries.

Hornblow Due Today

Arthur Hornblow, Jr., Paramount producer, and his wife, Myrna Loy, are due today by TWA Stratoliner from the Coast.

Personal Mention

NATE J. BLUMBERG, Universal president, is scheduled to arrive from the Coast Monday. J. Cheever Cowdin, board chairman, and W. A. Scully, vice-president and general sales manager, are expected back about the middle of next week.

•

William F. Rodgers, M-G-M general sales manager, who is now in New Orleans, will arrive in New York this weekend.

•

Leonard Goldenson, Paramount theatre head, and Sam Dembow, home office theatre executive, will arrive from Chicago today following a cross country tour of Paramount theatre operations.

•

W. J. Heineman, Western division manager for Universal, left last night via TWA Stratoliner for Chicago. He is expected back on Saturday.

•

Alice Kinzler, daughter of Mr. and Mrs. Morris Kinzler, is recovering from an operation performed at Doctor's Hospital on Tuesday.

•

Hugh Bruen, former Seattle exhibitor, visited there this week from Whittier, Cal.

•

Julian Schottenfels of M-G-M's contract department reports for induction into the army today. He is the son of Clarence Schottenfels of *Liberty* magazine advertising staff.

N. L. NATHANSON, head of Famous Players Canadian, and J. J. Fitzgibbons, general manager, are in New York from Toronto.

•

Stanton Griffis, chairman of the Paramount executive committee, returned to New York yesterday from a month's fishing in the Gulf of Mexico, along with J. R. Kilpatrick, head of Madison Square Garden, and Bernard Gimbel. Griffis arrived with photographic evidence of a day's catch which included the second largest tarpon ever removed from the Gulf.

•

Joseph Conti, chief of staff of the Paramount on Broadway, and Mrs. Conti are the parents of an eight-pound girl, born Tuesday at the Medical Center.

•

Charles Pathe has been ill since his arrival a week ago from Lisbon. When he recovers he will visit Hollywood with Mrs. Pathe.

•

Isadore Lazarus, New Orleans theatre owner, is the father of a boy, born recently at Touro Infirmary.

•

Vic Gauntlett, advertising manager for Hamrick-Evergreen in Seattle, directed a Greek Relief show this week at the Seattle Music Hall.

•

J. Don Alexander has returned to Colorado Springs from New York.

Ky. Court to Decide On Louisville Time

Louisville, April 30.—Louisville adopted daylight saving time last Sunday, but it is up to the Kentucky Court of Appeals to decide whether or not the city may retain it.

Circuit Judge Gilbert Burnett, ruling on a petition filed by Col. Henry Stites, attorney for theatre interests, held that the Kentucky law prohibiting Louisville from adopting daylight time without consent of the Governor to be unconstitutional. Colonel Stites appealed. The Aldermen passed the measure at a special session at which proponents and opponents presented their views on the question. The high court is expected to hand down a decision this week.

Oppose Daylight Time

St. Louis, April 30.—The Municipal Theatre Association, operator of the 10,000-seat open air theatre, is opposing a bill proposing local daylight saving time, claiming it would reduce attendance at the civic theatre.

Early Matinee Plan Spreading in Conn.

New Haven, April 30.—Factory workers' lack of leisure because of the 3 to 11 P. M. shift on defense work has caused both the Loew-Poli circuit and Warners to inaugurate a policy of Early Bird Defense shows. Warners discontinued the idea in Waterbury, but instituted a one-a-week morning show at the Warner in Bridgeport and Warner in Lynn.

The Loew-Poli, Bridgeport, early show has been so successful that the idea is now to be extended to the Palace, Meriden; Poli, Waterbury; Poli, Worcester, and Poli, Hartford.

New Theatre Firms Listed at Albany

Albany, April 30.—Five new corporations listed here are: Blinderman Theatre Corp., Brooklyn, by Bessie Blinderman, Dorothy Gottlieb and Jean Blinderman; 135th St. Theatre, Inc., by Myron J. Glantz, Charles Segal, Annette Graifer, and Alice Lewine; American Civic Theatre, Inc., Samuel J. Kleinman, Nat H. Karper and Lillian Schwartz; All-American Entertainment Corp., by Henry A. Maccaro, Harry Zimmerman and Rhea Feinsilver, and Authors and Composers Protective Association, Inc., by Jacob Nisenbaum, Harold Kaplan and Albert J. Cohen.

Pat Dowling Forms Producing Company

Hollywood, April 30.—Pat Dowling, publicist and producer, who has been engaged in the production of industrial and allied films for the past several years, has established his own company under the name Pat Dowling Pictures. The company is located at 1611 Cosmo Street here.

Mrs. Paul Mooney Dies

Mrs. Paul C. Mooney, Sr., wife of the former film executive, died last night at her home in Jackson Heights, L. I., after a long illness. Besides her husband, survivors are Paul C. Mooney, Jr., of the staff of *Motion Picture Herald*, another son and a daughter.

Circuit Accountant Killed

New Orleans, April 30.—Edward P. Lacour, 24, accountant for Dixie Theatres here, was killed when he lost control of the car he was driving and it crashed into a tree.

Mexico Expects to Produce 60 in 1941

Mexico City, April 30.—Mexican production, which reached barely 30 features last year, is expected to total about 60 in 1941, as a result of the restoration of general confidence in the country, the ability of producers to obtain financing more readily and the decrease of labor difficulties.

Porter, Pioneer of Screen, Dies at 71

(*Continued from page* 1)

ster Projectorscope, and, returning to New York, exhibited advertising and other films.

He later became a cameraman for Edison, taking the only films of the Lipton Cup races. He made "The Life of an American Fireman," a 500-foot narrative, and this led to "The Great Train Robbery," for which he hired a train from the Lackawanna Railroad. Its success led to others of a similar type, and the photodrama idea came into being.

Gave Griffith His Start

Porter, while directing for Edison, gave Edward Wark Griffith his first screen opportunity, as an actor. This was in 1907. In 1909, leaving Edison, he formed the Rex Co., eventually making pictures for Universal. There followed the Engadine Corp., in association with Adolph Zukor and Joseph Engel, which acquired the American rights to "Queen Elizabeth," starring Sarah Bernhardt. This was the forerunner of Famous Players Film Co., in which Porter and associates embarked on a program of mass production.

"The Eternal City," made in Rome in 1924 with Pauline Frederick, is regarded as Porter's last picture. He then withdrew from Famous Players and joined Precision Machine Co., which manufactured the Simplex projector.

Turner Names Cronin

Frank Cronin has been appointed by Terry Turner, head of the RKO field exploitation staff, to cover the Boston and New Haven territories.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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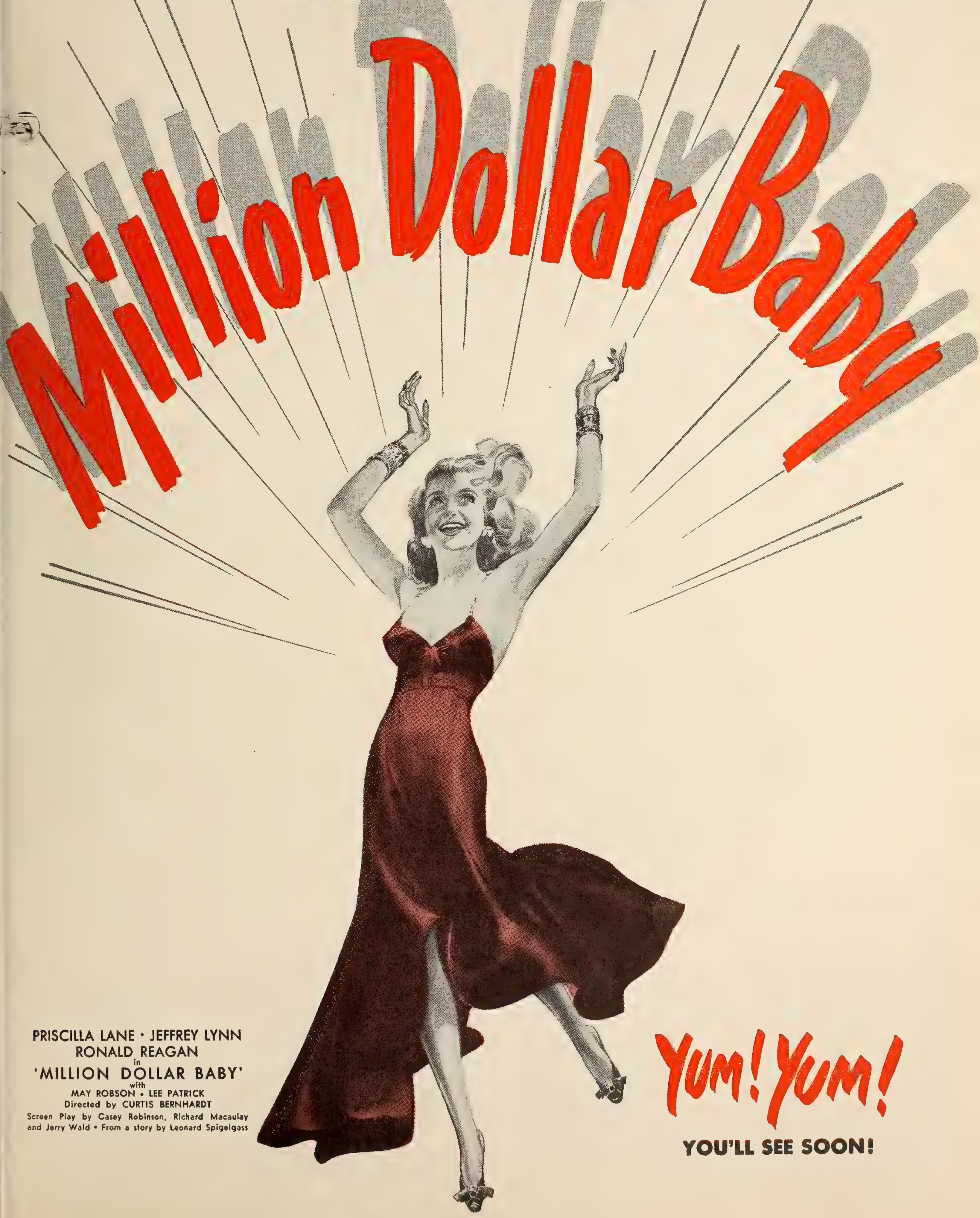
WARNERS'



PRISCILLA LANE • JEFFREY LYNN
RONALD REAGAN
in
'MILLION DOLLAR BABY'
with
MAY ROBSON • LEE PATRICK
Directed by CURTIS BERNHARDT
Screen Play by Casey Robinson, Richard Macaulay
and Jerry Wald • From a story by Leonard Spigelgass

Yum! Yum!

YOU'LL SEE SOON!

A. A. A. Meets On Speedup Of Arbitration

(Continued from page 1)

den, A. A. A. executive secretary.

In addition to the aim of improving the functioning of the local boards, the meetings are designed to aid in familiarizing the arbitrators with the workings of the system in all sections of the country.

The industry arbitration machinery ended its third month of operation yesterday with a total of 58 cases filed in 21 local boards since Feb. 1. No cases have been filed at the following 10 local boards: Atlanta, Charlotte, Des Moines, Indianapolis, Kansas City, Omaha, Memphis, Salt Lake City, Seattle, and San Francisco.

Seven cases have been decided by arbitrators, following hearings, four of the decisions being in favor of distributors, two in favor of exhibitors and one was a "split" decision. Twelve cases were either settled or withdrawn prior to hearings or before completion of hearings. One case has been appealed to the national appeals board, and is still pending.

There are still pending 39 cases before local boards. Complaints have been confined to clearance or "some run," with one based on a charge of withholding prints. New York leads in number of cases filed with a total of 10. Other boards have from one to four cases pending.

Jersey City Cameo Withdraws Complaint

The clearance complaint of the Cameo Theatre, Jersey City, against all five consenting companies was withdrawn without prejudice following a brief hearing by the New York arbitration board yesterday when Frank L. Weil, arbitrator, agreed with defense contentions that the complaint was, in reality, a demand for a specific run, rather than an adjustment of clearance.

Jack Fields, head of the Rosyl Amusement Corp., operator of the Cameo, was the plaintiff. Under the consent decree arbitration rules, an arbitrator cannot award a specific run prior to next Sept. 1, but can direct that "some run" be granted a plaintiff. However, the Cameo's complaint was directed against clearance and did not allege inability to obtain "some run."

Fitzgibbons Sees Canada Tax Hurting

(Continued from page 1)

by Finance Minister Ilsley, as "a complete surprise that it should be such a high tax." He said the industry had expected some tax, but not one so high, adding that it will hit hardest outside of Ontario, which has been the only province free of amusement tax in the Dominion.

Only Minor Changes in Canada Customs Tariff

OTTAWA, April 30.—Only minor changes are included in the customs tariff schedule presented to the Canadian House of Commons yesterday, and they affect only a very small volume of trade.

Feature Reviews

"Strange Alibi"

(Warners)

AN exciting action melodrama, "Strange Alibi" is above the average in its small-budget classification by reason of a tight script, hypoed with plenty of driving action and suspense, and a neat job of acting by a newcomer, Arthur Kennedy. In the role of the police detective whose effort to determine the leaders of the syndicate running the city's gambling spots puts him in the bad graces of the police on the one hand and the underworld on the other, Kennedy handles himself with conviction and ease.

He is supported in particular by Joan Perry, as his fiancee; Jonathan Hale, his chief, for whose murder he is wrongfully convicted; Charles Trowbridge, as the governor, and Cliff Clark, as the police captain who is actually the head of the syndicate.

D. Ross Lederman, a specialist in the direction of action-type film, turns in a capable piece of direction, never allowing the interest to drop.

Kennedy pretends to be a crooked officer, in a plan with Hale, in order to have his resignation forced, that he may tackle the problem from the other side of the fence. When Hale is killed by one of the two police officers who are leaders of the gang, the crime is planted on Kennedy, and he is sent to jail. His jail-break, convincingly done, provides an excellent action sequence, and eventually, with the enforced aid of the governor in a novel twist, he brings the gangsters to book.

Running time, 63 minutes. "G."* CHARLES S. AARONSON

"The Pioneers".

(Monogram)

Hollywood, April 30

THIS twentieth of the Tex Ritter westerns is below the standard set for the group. A plentiful use of stock shots detracts from the course of the story, inspired by the James Fenimore Cooper novel.

As a scout in the frontier country, Ritter unearths plotters trying to prevent a group of settlers from reaching their new outpost. Fights with Indians and with those who oppose their path mark the action, with the large fight sequences among those most noticably inter-cut with stock shots.

Arkansas Andrews, Red Foley, Doye O'Dell, George Chesebro, Del Lawrence, Wanda McKay, Post Park and Karl Hackett are chiefly seen, in addition to the singing star. Ritter, Foley and O'Dell deliver five songs.

Al Herman directed for producer Edward Finney.

Running time, 61 minutes. "G."* W. S.

"Law of the Wolf"

(Arthur Ziehm, Inc.)

THIS outdoor action film features a dog, Rin Tin Tin, III, a factor which might attract patrons of Western films who remember the uncanny feats of the screen's original and most famous canine hero.

The cast includes Dennis Moore, Luana Walters, George Chesebro, Stephen Clark, Jack Ingram and Martin Spellman. The story opens with Moore breaking jail with Chesebro so that he might settle accounts with the murderer of his brother. The melodrama that follows is not handled too convincingly but probably will meet the requirements in the smaller Western-film situations for which the picture is apparently designed. Photography is adequate. Raymond K. Johnson directed.

Running time, 55 minutes. "G."*

**"G" denotes general classification.*

Warners, Paramount and Loew's Among 200 Largest Corporations

Washington, April 30.—Three motion picture companies were listed today by the Temporary National Economic Committee among the 200 largest non-financial corporations of the country.

In a 1,550-page monograph on the distribution of ownership in the largest corporations, the TNEC rated Warner Bros. 108th in size, with 177,545 stockholders; Loew's, Inc., 129th, with 142,544 stockholders, and Paramount Pictures, 148th, with 120,219 stockholders.

Also included in the list were Eastman Kodak Co., 104th in size, with 179,387 stockholders, and RCA, 167th, with 89,373 stockholders.

Number one corporation, both in size and number of stockholders, was American Telephone & Telegraph Co., with 3,859,293 stockholders. A. T. & T. is parent to Western Electric Co., which in turn controls Erpi.

Atlas Corp. Option On K-A-O Shares Extended 60 Days

(Continued from page 1)

dation with RKO of its two principal theatre companies.

N. Peter Rathvon, chairman of the RKO executive committee, will move to new offices in the RKO Building today from his former headquar[illegible] the financial district downtown. It is understood that he will devote increased time to RKO affairs in the future, particularly the company's financial matters. He will take over, in part, the duties of the late W. J. Merrill, who was executive vice-president of the company.

George J. Schaefer, RKO president, arrived from the Coast by plane last night to attend today's meeting, which reportedly may also consider appointment of a new studio head and a successor to J. J. O'Connor, vice-president and general manager of K-A-O.

Schenck, Moskowitz Win Sentence Stay

(Continued from page 1)

M. Proskauer, former N. Y. Supreme Court Justice, who has been advisor in the case for some time, asserted that the court had committed six reversible errors in the conduct of the Government trial.

Bail has been increased from $1,500 each to $5,000 each.

The stay was granted despite objections from U. S. Attorney Mathias F. Correa, who contended that no error had been committed and that the verdict had been fair.

In granting the stay, Judge Moscowitz stated that while he believed that all legal questions had been passed upon correctly he wished to extend a fair and reasonable opportunity for the defendants to review the entire question. The continuance was conditional upon Proskauer making every effort to present the appeal before the U. S. Circuit Court in June.

Among the points raised by Judge Proskauer were: 1. that over-payment by Schenck of 1937 taxes should have been crdited also to 1935 and 1936; 2. that the court failed to properly define legitimate deduction for business expenses; 3. that the court failed to aid the jury sufficiently in deciding upon the legitimacy of stock sales; 4. that the court should have stated to the jury that securities sold by Schenck were absolutely worthless; 5. that the court failed to give sufficient weight in its instructions to character testimony; 6. that the court actually convicted the defendants in telling the jury to draw its own conclusions on the failure of either side to present witnesses.

Ease Display Sign Rule in Lancaster

LANCASTER, Pa., April 30.—A new ordinance has been introduced in the City Council permitting the erection of larger display signs and giving the city control of all billboards, as well as giving the city the right to collect fees when signs are erected or repaired. The proposed measure permits signs to extend as much as six feet from the building line.

'Vaquero' and Show $16,700 Boston Lead

BOSTON, April 30.—"Ride on Vaquero" with Earl Carroll's "Vanities" and Bert Wheeler on the stage gave the Keith Boston $16,700. "Ziegfeld [illegible]" coupled with "Blondie Goes Latin" gave Loew's Orpheum $21,900, and Loew's State $16,500.

Estimated receipts for the week ending April 24-26:

"Ride on, Vaquero" (20th-Fox)
KEITH BOSTON — (3,200) (28c-33c-55c-65c) 7 days. Stage show including Earl Carroll's "Vanities" with Bert Wheeler, Bob Williams, Red Dust, Herb Ladd and Francetta Malloy. Gross: $16,700. (Average, $8,000)

"Nice Girl" (Univ.)
"The Man Who Lost Himself" (Univ.)
KEITH MEMORIAL — (2,907) (28c-33c-44c-55c) 7 days. Gross: $18,400. (Average, $16,000)

"That Night in Rio" (20th-Fox)
"Snadows on the Stairs" (W. B.)
METROPOLITAN — (4,367) (29c-39c-44c-55c) 7 days. Gross: $17,500. (Average, $15,500)

"Road to Zanzibar" (Para.)
"Dead Men Tell" (20th-Fox)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $8.700. (Average, $7,500)

"Road to Zanzibar" (Para.)
"Dead Men Tell" (20th-Fox)
FENWAY — (1,320) (28c-33c-44c-55c) 7 days, 2nd run. Gross: $5,700. (Average, $4,500)

"A Girl, A Guy and A Gob" (RKO)
"Adam Had Four Sons" (Col.)
SCOLLAY — (2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $4,700. (Average, $4,000)

"Ziegfeld Girl" (M-G-M)
"Blondie Goes Latin" (Col.)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days. Gross: $16,500. (Average, $12,000)

"Ziegfeld Girl" (M-G-M)
"Blondie Goes Latin" (Col.)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days. Gross: $21,900. (Average, $17,500)

'Miss Jones' Gets $10,000 in Capital

WASHINGTON, April 30. — "The Devil and Miss Jones" in the second week at the RKO Keith's took $10,000. Also in the second week, "The Great Lie," with a stage show at Warner's Earle, brought $13,600, in a week of generally good business.

Estimated receipts for the week ending April 23-24:

"The Great Lie" (W. B.)
WARNER'S EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days, 2nd week. On stage: Lorraine & Rognan, Ben Yost's Continentals, the Hellmans, Roxyettes. Gross: $13,600. (Average, $12,000)

"The Lady Eve" (Para.)
LOEW'S PALACE—(2,300) (28c-44c) 7 days. Gross: $15,000. (Average, $15,000)

"Cheers for Miss Bishop" (U. A.)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: George Church, Gower & Jeanne, Sara Ann McCabe, Al Bernie, Rhythm Rockets. Gross: $16,000. (Average, $15,500)

"Tobacco Road" (20th-Fox)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,000. (Average, $4,000)

"The Devil and Miss Jones" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $8,000)

"The Sea Wolf" (W. B.)
WARNERS' METROPOLITAN — (1,600) (28c-44c) 7 days, return engagement. Gross: $5,100. (Average, $4,500)

Club Party Set May 13

NEW HAVEN, April 30.—The Metro Pep Club here will have its annual Spring dinner-dance at Waverly Inn, May 13. Rose Mary Patterson, president, and George Weber are making arrangements.

Showmanship Flashes

Proverb Contest Used For 'Penny Serenade'

BALTIMORE, April 30.—Cash prizes and free tickets were offered for "Penny Proverbs" in a contest by the Hippodrome Theatre, tied in with a daily newspaper. To start entrants on their way, the paper published two proverbs, "A Penny For Your Thoughts" and "A Penny Saved Is A Penny Made." Winners were those sending in the most proverbs. The promotion was for "Penny Serenade."

Admits Service Men Free to 'Rookies'

Buffalo, April 30.—Managing Director Richard Kemper of the Twentieth Century Theatre here, pushed "Rookies on Parade" with an offer, run alongside the regular theatre newspaper advertisement, to admit free U. S. service men in uniform throughout the film's run.

Coloring Contest in 'Ziegfeld' Promotion

KENOSHA, Wis., April 30.—Francis Schlax, manager of the Kenosha Theatre, promoted a center spread newspaper advertisement involving a coloring contest as exploitation for "Zeigfeld Girl." One hundred tickets to see the film were given to those coloring the entire set of Ziegfeld girls.

Wheel in Store Is 'Pot o' Gold' Stunt

LINCOLN, Neb., April 30.—In a stunt to promote "Pot o' Gold" at the Varsity Theatre here, Alvin Hendricks, manager, planted in a local store a wheel which, when spun, indicated Lincoln telephone numbers. Subscribers listed received merchandise and free tickets to the film. The telephone company cooperated.

Limericks Feature Ads On 'Uncertain Feeling'

For the run here of "That Uncertain Feeling" at the Music Hall, United Artists tied in with the *Journal and American* on a limerick contest. A limerick is published each day, with the last line to be filled in. Cash prizes are awarded for the best last line to each daily limerick.

Couple in Rickshaw Used for 'Girl and Gob'

For the campaign on "A Girl, a Guy and a Gob," at the New York Loew's Criterion, one stunt featured a couple dressed as the "girl and gob" hauled through the Times Square district in a Chinese rickshow, drawn by a man dressed in top hat and tails. The stunt was arranged by Phil Laufer, Criterion manager.

'Zanzibar' Scores $14,900 in Buffalo

BUFFALO, April 30.—"Road to Zanzibar" and "Free and Easy" led here with $14,900 at the Buffalo. "Men of Boys Town" and "Dead Men Tell" continued strong in a second week at the Great Lakes with $8,900.

Estimated receipts for the week ending April 26:

"Road to Zanzibar" (Para.)
"Free and Easy" (M-G-M)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $14,900. (Average, $12,000)

"Men of Boys Town" (M-G-M)
"Dead Men Tell" (20th-Fox)
GREAT LAKES—(3,000) (30c-55c) 7 days, 2nd week. Gross: $8,900. (Average, $7,500)

"That Night in Rio" (20th-Fox)
"The Penalty" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $6,100. (Average, $6,800)

"The Devil and Miss Jones" (RKO)
"Shadows on the Stairs" (W. B.)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $5,300. (Average, $7,500)

"Nice Girl?" (Univ.)
"Lucky Devils" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days, "Nice Girl?", 2nd week. Gross: $6,300. (Average, $6,300)

'Doe' Sets Record In Butte Theatre

BUTTE, Mont., April 30.—"Meet John Doe" set a new record at the Montana Theatre here last weekend, according to William Woolfall, manager. The film ran for eight days, an unusual run for this city. Regular prices were maintained, but the distribution of free cosmetics was dropped during the run.

Assigned to Wichita

KANSAS CITY, April 30.—Woody L. Barrit, formerly manager of the Fox Miller, Wichita, Kan., has been appointed assistant city manager of the Fox Wichita houses, in charge of advertising and publicity. Al McClure, who takes over the Fox Miller, was transferred from the Eldorado, Kan., Fox. Roy Burford will become manager of the latter house.

Warners Is Sued

Countess Bronislava du Brissac, lecturer, has filed a $250,000 damage suit in Brooklyn Federal court against Warners and the Normandie Amusement Corp., owner of the Normandie Theatre. She alleges she was injured by a portrayal in "Till We Meet Again."

'Miss Jones' Gets $16,000 Loop Gross

CHICAGO, April 30. — "The Devil and Miss Jones" with "A Girl, A Guy and A Gob" scored $16,000 at the Palace. "Road to Zanzibar" took $36,000 in the second week at the Chicago Theatre, with Eddy Howard and a stage show.

Estimated receipts for the week ending April 25:

"Fantasia" (Disney)
APOLLO — (1,400) (50c-75c-$1.10-$1.65) 7 days, 9th week. Gross: $10,000. (Average, $6,500)

"Road to Zanzibar" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Eddy Howard and stage show. Gross: $36,000. (Average, $32,000)

"Gone With the Wind" (M-G-M)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $6,000. (Average, $5,000)

"Ellery Queen's Penthouse Mystery" (Col.)
ORIENTAL — (3,200) (25c-40c) 7 days. Stage: Variety stage show. Gross: $13,000. (Average, $13,000)

"The Devil and Miss Jones" (RKO)
"A Girl, A Guy and A Gob" (RKO)
PALACE — (2,500) (35c-55c-75c) Gross: $16,000. (Average, $13,000)

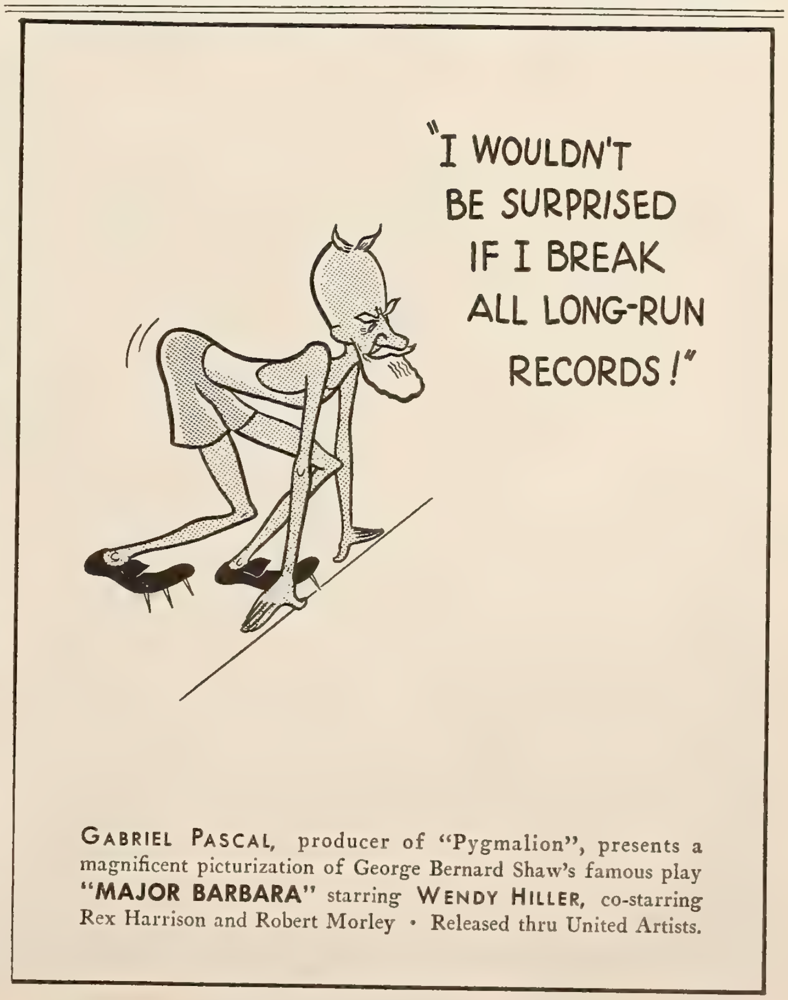
"Footsteps in the Dark" (W. B.)
ROOSEVELT — (1,500) (35c-55c-75c) 7 days. Gross: $10,500. (Average, $11,000)

"Doomed Caravan" (Para.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Shep Fields' band. Gross: $21,000. (Average, $15,000)

"Ziegfeld Girl" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $9,500. (Average, $14,000)

Cuts Balcony Price

FOND DU LAC, Wis., April 30.—Fox, operating the Fond du Lac, Retlaw and Garrick theatres here, has reduced balcony admission in the latter house from 30 cents to 20 cents.

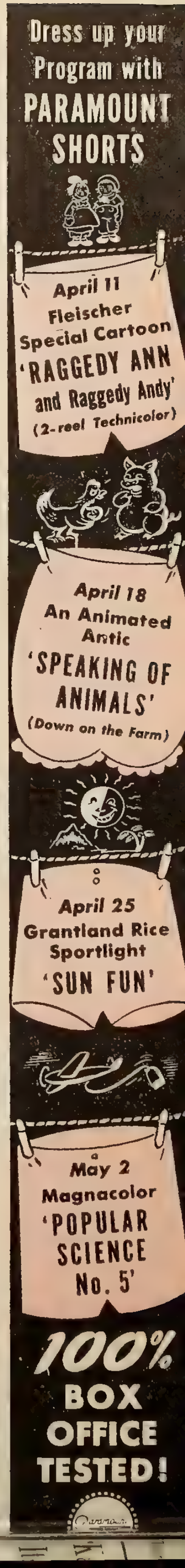

"I WOULDN'T BE SURPRISED IF I BREAK ALL LONG-RUN RECORDS!"

GABRIEL PASCAL, producer of "Pygmalion", presents a magnificent picturization of George Bernard Shaw's famous play **"MAJOR BARBARA"** starring WENDY HILLER, co-starring Rex Harrison and Robert Morley • Released thru United Artists.

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Apr. 4	North From the Lone Star (O) *Bill Elliott* *Dorothy Fay*			Roundup (O) *Richard Dix* *Pat. Morison*	Pals of the Pecos (O) 2-Gun Sheriff (O)	Repent at Leisure (C) *Kent Taylor* *Wendy Barrie*	Scotland Yard (D) 131 *John Loder* *Nancy Kelly*			A Shot in the Dark (D) *Wm. Lundigan* *Nan Wynn*
Apr. 11		Men of Boys Town (D) 132 *Rooney-Tracy*	Break the News (D) *M. Chevalier* *J. Buchanan*	Road to Zanzibar (C) *Bing Crosby* *Lamour-Hope*	Sis Hopkins (C) *Judy Canova* *Bob Crosby*	Devil and Miss Jones (C) *Jean Arthur* *Charles Coburn*	That Night in Rio (M) 137 *Alice Faye* *Don Ameche*	Pot o' Gold (C) *James Stewart* *P. Goddard*	Lady from Cheyenne (O) *Loretta Young* *Robert Preston*	The Great Lie (D) *Bette Davis* *George Brent*
Apr. 18	Under Age (D) *Nan Grey* *Alan Baxter*	Washington Melodrama (D) 131 *Frank Morgan*	Hoosier Schoolboy (D) *Mickey Rooney* (Re-issue)	Border Vigilantes (O) *William Boyd* *Russell Hayden*	Rookies On Parade (C) *Bob Crosby* *Ruth Terry*	Robbers of the Range (O) *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*	That Hamilton Woman! (D) *Vivien Leigh* *L. Olivier*	Model Wife (D) Mutiny in the Arctic (D)	Strange Alibi (D) *Art. Kennedy* *Joan Perry*
Apr. 25	Penny Serenade (C) *Cary Grant* *Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr* *Turner-Garland*	Tumbledown Ranch in Arizona (O) Invisible Ghost (D)	Power Dive (D) *Richard Arlen* *Jean Parker*	Lady From Louisiana (D) *John Wayne* *Ona Munson*	They Met in Argentina (M) *Maureen O'Hara* *James Ellison*	Mail Train (D) 139 *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon* *Melvyn Douglas*	Flame of New Orleans (D) *Marlene Dietrich* *Robert Young*	The Wagons Roll at Night (D) 560 *Bogart-Sidney*
May 2	The Big Boss (D) They Dare Not Love (D)	People vs. Dr. Kildare (D) *Ayres-Day* *L. Barrymore*	Roar of the Press (D) *Jean Parker* *Wallace Ford*	Reaching for the Sun (D) *Joel McCrea* *Ellen Drew*	The Singing Hill (O) *Gene Autry* *Smiley Burnette*				Black Cat (D) *Basil Rathbone* *Hugh Herbert*	Thieves Fall Out (C) 516 *Eddie Albert* *Joan Leslie*
May 9	Her First Beau (C) *Jane Withers* *Jackie Cooper*	A Woman's Face (D) *Joan Crawford* *Melvyn Douglas*	House of Mystery (D) The Pioneers (O)		Country Fair (C) *Lulu Bell & Scottie*		Great American Broadcast (M) *Alice Faye* *Oakie-Payne*			Affectionately Yours (C) *Merle Oberon* *Dennis Morgan*
May 16	She Knew All the Answers (C) *Joan Bennett* *Franchot Tone*	I'll Wait for You (D) *Marsha Hunt* *Robt. Sterling*	The Redhead (D) *June Lang* *Johnny Downs*	There's Magic in Music (M) 4021 *Alan Jones* *Susan Foster*	Sheriff of Tombstone (O) A Gay Vagabond (C)		Cowboy and the Blonde (O) *Mary B. Hughes* *G. Montgomery*	Adventures of Tom Sawyer (D) Prisoner of Zenda (D) (Re-issues)		Singapore Woman (D) 563 *Brenda Marshall* *David Bruce*
May 23	Naval Academy (D) *F. Bartholomew*	Love Crazy (C) *Myrna Loy* *Wm. Powell*	King of the Zombies (D) *Dick Purcell* *J. Woodbury*	Pirates on Horseback (O) *William Boyd* *Russell Hayden*	Angels With Broken Wings (D) Desert Bandit (O)	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) *John Beal*		Too Many Blondes (M) *Rudy Vallee* *Helen Parrish*	The Nurse's Secret (D) 523 *Lee Patrick* *Regis Toomey*
May 30	Adventure in Washington (D) *Herbert Marshall* *Virginia Bruce*	Billy the Kid (O) *Robert Taylor* *Mary Howard*	Silver Stallion (O) *David Sharpe* *Janet Waldo*	I Wanted Wings (D) *Ray Milland* *Holden-Morris*	Saddlemates (O) *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* The Saint's Vacation (D)	Blood and Sand (D) 143 *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane* *Jeffrey Lynn*
June 6	Time Out for Rhythm (M) *Rudy Vallee* *Glen Gray*	The Get-Away (D) *Robt. Sterling* *C. Winniger*	Wranglers' Roost (O) *Range Busters*			The Reluctant Dragon (Disney) Cyclone on Horseback (O)	For Beauty's Sake (C) *Ned Sparks* *Marjorie Weaver*		Men of the Timberlands (D) *Arlen-Devine*	
June 13	Medico of Painted Springs (O) *Chas. Starrett*	Bargain Basement (C) *Marx Bros.*	Gang's All Here (D) *Frankie Darro* *Mantan Moreland*	One Night in Lisbon (D) *F. MacMurray* *M. Carroll*		Tom, Dick and Harry (C) Bring 'Em Back Alive 131	Bride Wore Crutches (C) *Lynne Roberts* *Ted North*		Tight Shoes (D) *Binnie Barnes* *Brod. Crawford*	
June 20				West Point Widow (D) *Anne Shirley*	Nevada City (O) *Roy Rogers*		Man Hunt (D) *Walter Pidgeon*			



Dress up your Program with PARAMOUNT SHORTS

April 11
Fleischer
Special Cartoon
'RAGGEDY ANN and Raggedy Andy'
(2-reel Technicolor)

April 18
An Animated
Antic
'SPEAKING OF ANIMALS'
(Down on the Farm)

April 25
Grantland Rice
Sportlight
'SUN FUN'

May 2
Magnacolor
'POPULAR SCIENCE No. 5'

100% BOX OFFICE TESTED!

'Kane' Will Open Its Two-a-Day Run At Palace Tonight

(Continued from page 1)

Herbert Bayard Swope, Jules Levey, Malcolm Kingsberg, Jack Yandell, A. W. Smith, Jr., Cresson E. Smith, Gordon E. Youngman, S. Barret Mc[illegible]rmick, Robert Mochrie, John [illegible]ls, Harry Goldberg, B. S. Moss, [illegible]ric Ullman, Jr., and Charles Moss.

Also, Joan Crawford, Mr. and Mrs. George Kaufman, Deems Taylor, Kate Smith, John Garfield, Frank Buck, Major Edward Bowes, Mr. and Mrs. Gilbert Miller, Lucius Beebe, Elsa Maxwell, Mr. and Mrs. Bennett Cerf, Richard Simon, Harold Ross, Jay Emanuel, Sinclair Lewis, John Gunther and Grantland Rice.

Answers Filed In Crescent Action

(Continued from page 1)

not defendants, but in no case more than 50 per cent of the capital stock.

Answers of Tony Sudekum, president of Crescent, set out that his present stock holdings in the company are 1,857 shares, and enumerated several loans without interest to Rockwood Amusement, Inc., an associate defendant.

Others answers were by Mrs. Nettie Sudekum, wife of Sudekum; R. E. Baulch, Secretary of Crescent; Kermit C. Stengel, president of Rockwood Amusements (Baulch and Stengel are sons-in-law of Sudekum), and by the following companies, representing theatre ownership in Tennessee, Kentucky, Mississipi, Arkansas and Alabama: Cumberland Amusement Company, Cherokee Amusements, Inc., Kentucky Amusement Co., Inc., Lyric Amusement Co., Inc., Nu-Strand Corporation, Rockwood Amusements, Inc., and Strand Enterprises, Inc.

'Lady Eve' Takes $12,800 in Toronto

Toronto, April 30. — "The Lady Eve" at the Uptown was the hit of the week at $12,800, while "That Night in Rio" accounted for $11,800 at the Imperial. The weather was fair and mild.

Estimated receipts for the week ending April 26:

"That Night in Rio" (20th-Fox)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $11,800. (Average, $9,000)
"The Great Dictator" (U. A.)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days. Gross: $11,500. (Average, $9,000)
"Buck Privates" (Univ.)
"Blondie Goes Latin" (Col.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days, 3rd week. Gross: $8,000. (Average, $7,500)
"Western Union" (20th-Fox)
"Honeymoon for Three" (W. B.)
TIVOLI—(1,434) (10c-25c-40c) 6 days. Gross: $3,500. (Average, $3,900)
"The Lady Eve" (Para.)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $12,800. (Average, $9,000)

M-G-M Buys 'Du Barry'

Hollywood, April 30.—M-G-M is reported to have purchased "Du Barry Was a Lady," a B. G. De Sylva musical which was one of Broadway's hits last season.

Hollywood Review

"They Dare Not Love"

(Columbia)

Hollywood, April 30

STORY of Austria's refugees following that country's invasion by the Nazis, "They Dare Not Love" starts out in a melodramatic vein but shortly thereafter becomes a conversational, rather than moving, picture. It drags through most of its 75 minutes, picking up in the last half of the final reel.

It tells the tale of an Austrian prince whose love is spurned by another refugee because of his callousness to the fate of the concentration camp prisoners in his native land. He makes a deal with the Gestapo under which he would return home in exchange for seven prisoners. The girl learns of a Nazi plot to trick him and the climax arrives with the capture by a British destroyer of the boat taking them back to Germany.

George Brent and Martha Scott, both capable performers, are weighted down by their poor material. Supporting them are Paul Lukas, Egon Brecher, Roman Bohnen, Edgar Barrier, Kay Linaker and Frank Reicher.

There is no "message" nor preachment in the film, the Nazis and the Gestapo agents being treated as villains without honor. Theme is dialogue to the effect that Austria will rise again some day.

There is unsteady direction by James Whale, who did not have enough meaty story material with which to work. Sam Bischoff was the associate producer.

Running time, 75 minutes. "G."* VANCE KING

**"G" denotes general classification.*

'Sea Wolf' $7,800 Providence Best

Providence, April 30. — "The Sea Wolf" and "Double Date," paired at the Majestic, drew $7,800, but business elsewhere was quiet. The opening of Narragansett race trace offered competition.

Estimated receipts for the week ending April 23-24:

"Lady from Cheyenne" (Univ.)
"Mr. Dynamite" (Univ.)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $5,100. (Average, $6,000)
"Pot 'O Gold" (U. A.)
"The Penalty" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $10,000. (Average, $11,000)
"The Sea Wolf" (W. B.)
"Double Date" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $7,800. (Average, $7,000)
"Road to Zanzibar" (Para.)
"Mr. District Attorney" (Rep.)
STRAND—(2,200) (28c-39c-50c) 7 days, 2nd week. Gross: $6,300. (Average, $6,000)
"Arkansas Judge" (Rep.)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show with Gene Krupa and orchestra; Herman Hyde and Sally Burrill; Mary Mellitt and the English Brothers; Grace Drysdale. Gross: $6,900. (Average, $4,700).
"Robbers of the Range" (RKO)
FAY'S—(1,800) (33c-39c-44c) 7 days. Stage show with Pinky Lee; the Singing Vikings and Mary Dooley; Seymour and Pitcher; Gregory and Raymond; Kenny and Rogers. Gross: $2,600. (Average, $5,000)
"Men of Boys Town" (M-G-M)
"Penthouse Mystery" (Col.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $3,900. (Average, $3,500)
"Mlle. Ma Mere" (Hoffberg)
"School for Husbands" (Hoffberg)
PLAYHOUSE—(1,328) (28c-44c) 7 days. Gross: $3,900. (Average, $4,000)
"Tobacco Road" (20th-Fox) (3 days)
"Great Mr. Nobody" (W. B.) (3 days)
"Mr. and Mrs. Smith" (RKO) (4 days)
"Footsteps in the Dark" (W. B.) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,500. (Average, $1,700)

Delay Albee Closing

Providence, April 30. — The two weeks "closing notice" has been put up by manager George E. French at the RKO-Albee here. The house usually has closed for the Summer season, but inasmuch as no immediate closing is in prospect, it is believed the notice is simply a covering notice to be continued from week to week.

Baseball Season Starts

The Motion Picture Baseball League's 1941 season will get under way tomorrow, when Skouras Theatres plays International Projector at George Washington High School stadium. Other teams participating are Paramount, NBC, Universal and Loew's.

Majors May Service Minn. From Outside

(Continued from page 1)

Minnesota anti-consent decree law and reported, following their meeting, that the procedure to be followed will be mapped within the next few days.

Previously, it had been decided to force a test of the constitutionality of the law in a Federal court in the hope that a decision might be obtained before next Sept. 1, when the five consenting companies will be required to comply with the block-of-five sales provisions of the Federal consent decree.

If no decision has been obtained by that time on the constitutionality of the Minnesota measure the consenting companies will be obliged to apply to Federal Judge Henry W. Goddard here for an exemption from the decree's provisions for their operations in Minnesota.

All distribution companies are reported to view the Minnesota law with disfavor, but it is still doubtful whether Loew's, Warners, 20th Century-Fox and RKO will be joined by other companies in a test of the law.

Paramount, which did not oppose the measure prior to its enactment, has not definitely stated yet that it will join in the move to test its validity. The same applies to United Artists, which opposed the bill at hearings.

ROOKIES ON PARADE
A REPUBLIC PICTURE

BOB CROSBY · RUTH TERRY
GERTRUDE NIESEN · EDDIE FOY, JR.
MARIE WILSON · CLIFF NAZARRO
JOSEPH SANTLEY—Director · Screenplay by Karl Brown, Jack Townley and Milt Gross · Original story by Sammy Cahn and Saul Chaplin

NBC Shows Color Television Today

NBC, which has been experimenting with color television over the air for several weeks, will demonstrate it for the press this afternoon. The method of transmission described is similar to the mechanical system of color television used by CBS. NBC has succeeded in obtaining 441-line definition as compared with 375 lines previously announced by CBS. However, at CBS it was said yesterday that several private demonstrations with 441 lines had been given on a wired hookup.

[The decision of NBC to start live talent color television over the air and the subsequent beginning of the experiments were reported exclusively in MOTION PICTURE DAILY *on Feb.* 13 *and March* 6, *respectively.*]

Talent and Film Pickups

The demonstration today will consist of live talent and color film pickups, viewed on the new RCA 18 by 14 inch projection type receivers adapted for color work.

The 441-line definition was the standard used by telecasters for black-and-white pictures up to January of this year when the National Television Systems Committee recommended an increase to 525 lines. Color television requires fewer lines per frame because the color itself brings out the picture in sharp definition. Most observers who saw the CBS demonstrations at 343 and 375 lines regarded the pictures as highly satisfactory.

CBS has made application for patents covering its system. At RCA and NBC it was stated that mechanical systems for color have been under study for many years.

Ascap Offers 9-Year Contract to Networks

Ascap yesterday confirmed that it has offered new nine-year blanket license agreements to radio networks at 3½ per cent of their annual income after numerous allowable deductions.

Indications that Mutual had made a deal with Ascap were given early this morning, with a company announcement revealed as likely at any time today.

The rate for the balance of the current year would be 3 per cent, and the rate for per program contracts, in which the networks are displaying no interest at this time, would be 10 per cent, Ascap officials said.

The current licensing offer contrasts with the 7½ per cent asked by Ascap last Fall, before expiration of its old agreements.

Since then, Ascap has lost approximately $2,000,000 in revenue through having been off the air since last Jan. 1; has had imposed upon it a Federal consent decree governing its future operations; has been fined $23,000 in Federal court as a monopoly; has waged a costly "public relations" war against radio; has watched the growth of Broadcast Music, Inc., a music licensing competitor, and has suffered severe losses through music publishing inactivity and the decline of sheet music and record sales.

Off the Antenna

NBC announced yesterday that it had added two Chilean stations to its Pan-American short wave network. The stations are CB150, Santiago which operates on 1,500 k.c., and CB64, Valparaiso, which operates on 640 k.c.

• • •

Purely Personal: *J. W. Strickland, has joined the sales department of the American Network, the new FM web . . . Milton J. Flamm, formerly of the WMCA sales department, has been appointed national sales director for WPAT, Paterson, which is scheduled to start operations Saturday . . . Jack Leonard, CBS singer who starts an engagement at the Paramount Theatre here next week, has been granted deferment of his Army induction to May 26 to permit him to complete his theatre engagement.*

• • •

The Women's National Radio Committee poll this year will be confined to programs which further the ideals of democracy. Medals will be presented to the commentator considered the foremost protagonist of democracy; to the forum considered to have served best the interests of democracy, and to the best educational and the best miscellaneous program of a democratic order. Special awards will be made to Mrs. Franklin D. Roosevelt, Mrs. J. Borden Harriman, Lily Pons and Raymond Massey. Mutual will broadcast the proceedings, Tuesday, May 13, 2:30-3 P. M.

• • •

WHN staff changes were announced yesterday. Ray Winters, formerly with NBC and Mutual, has joined the announcing staff to succeed Bob Stevenson, resigned. Herlof Provenson, formerly with NBC, has also been named an announcer. Bill Bird has replaced Milton Kaye, who resigned from the copyright department. Keith Gunther, who also was with NBC, has been named assistant night manager. Louis Cucol has been made assistant to the day operations manager, succeeding Dan Rokaw who has been shifted to duties with Loew's.

• • •

Film Players on the Air: *Shirley Temple will be guest of Edgar Bergen over NBC-Red Sunday. . . . Pat O'Brien will be heard on "Kraft Music Hall" over NBC-Red tonight. . . . Jeanette MacDonald will appear as guest star on "Nobody's Children" over Mutual Sunday. . . . William Powell will be guest on "Campbell's Playhouse" tomorrow on CBS. . . . Jane Russell and Jack Buetel will be heard in "The Outlaw" during "Hollywood Premiere" over CBS tomorrow. . . . John Garfield will apear on the "Kate Smith Hour" tomorrow, also on CBS.*

'Rio' Minneapolis Gross Is $7,200

MINNEAPOLIS, April 30.—"That Night in Rio" took $7,200 at the State. "Road to Zanzibar" took $6,000 at the Century.

Estimated receipts for the week ending April 25:

"That Night in Rio" (20th-Fox)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $7,200. (Average, $6,000)

"The Sea Wolf" (W. B.)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $5,500)

"Fantasia" (Disney)
MINNESOTA—(1,850) (50c-75c-$1-$1.50) 7 days, 2nd week. Gross: $7,000.

"The Devil and Miss Jones" (RKO)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $1,800. (Average, $1,600)

"Road to Zanzibar" (Para.)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $6,000. (Average, $4,000)

"Maisie Was a Lady" (M-G-M)
GOPHER—(998) (28c) 7 days. Gross: $3,000. (Average, $2,500)

"Buck Privates" (Univ.)
ASTER—(900) (28c) 7 days, 6th week. Gross: $2,800. (Average, $1,800)

'Fantasia' in Hartford

HARTFORD, April 30.—Walt Disney's "Fantasia" will have its Connecticut premiere May 15 at Warners' Regal here, Frank Morin, manager, announces. Following the opening the film will run two-a-day. Hartford is the second New England city to show the film. It is now playing in Boston.

Union Party Tomorrow

WILKES-BARRE, Pa., April 30.—The first annual dinner of Local B96, exchange employes union, will be held at Eagles Home here Friday night. Ruth Martin is chairman of the arrangements committee.

'Lie' Is Newark's Winner at $14,500

NEWARK, April 30.—"The Great Lie" and "Meet the Chump" scored $14,500 at the Warner Branford in a week of only fair grosses. "Road to Zanzibar" took $13,500 in the second week at the Paramount-Newark.

Estimated receipts for the week ending April 23-25:

"The Great Lie" (W. B.)
"Meet the Chump" (Univ.)
WARNER'S BRANFORD—(2,840) (15c-28c-33c-44c-55c-65c-75c) 7 days. Gross: $14,500. (Average, $14,000)

"That Night in Rio" (20th-Fox)
"Murder Among Friends" (20th-Fox)
RKO PROCTOR'S—(3,389) (20c-33c-44c-55c-65c-75c) 6 days. Gross: $12,000. (Average, $14,500)

"Charlie Chaplin Festival" (Guaranteed)
LITTLE — (299) (33c-44c-55c) 7 days. Gross: $1,700. (Average, $1,800)

"Come Live With Me" (M-G-M)
"The Baker's Wife" (Baker's Wife, Inc.)
LOEW'S STATE—(2,589) (28c-44c-55c-75c) 7 days. Gross: $10,000. (Average, $13,500)

"Road to Zanzibar" (Para.)
PARAMOUNT-NEWARK (2,200) (15c-28c-33c-40c-55c-75c) held over, 7 days, 2nd week. Gross: $13,500. (Average, $13,700)

Florida Legislature Rejects Tax Bills

TALLAHASSEE, Fla., April 30.—The finance and taxation committee of the Florida legislature today swept aside proposals for amusement, sales and similar taxes. Chairman Leedy said this was to clear the way for Governor Holland's financial program, soon to be presented, and did not bind members against voting for similar levies if later considered desirable. Several members took the position that it is the function of the Federal Government to tax amusements.

Wallace Joins CBS Air School Council

Vice-President Henry A. Wallace has joined the Pan-American Council of the CBS "School of the Air of the Americas," it was announced yesterday by Sterling Fisher, director of education for the network. Wallace's keen interest in Latin American affairs was given by Fisher as prompting his affiliation with the council.

Interior Dep't Air Plan Is Approved

WASHINGTON, April 30.—The House Appropriations Committee today approved plans of the Interior Department for an appropriation of $3,000 with which to employ artists and musicians in the production of radio transcriptions explaining the activities of the department.

Department officials appearing before the committee during consideration of the 1942 appropriation bill explained that time and facilities are donated by the networks and stations, and there is no cost whatever in the dissemination of radio programs.

The new appropriation bill will permit the Department to employ professional talent in lieu of the former method of using members of the department staff or such services as were donated by radio interests, it was said. There are only two radio script writers employed by the Interior Department, and one of them, Bernard Schoenfeld, was taken over recently by the Office of Production Management at a substantial increase over his $4,000 Interior Department salary, the committee was told.

Crosley Profit for Quarter $427,529

CINCINNATI, April 30.—The Crosley Corp., operating WLW, WSAI, international short wave station WLWO, and manufacturing radio receiving sets and electrical appliances, showed net profit of $427,529 for the three months ended March 31, after provisions for depreciation and estimated Federal income and excess profits taxes, according to a statement filed with the Cincinnati Stock Exchange. This compared with net profit of $42,807 for the first quarter of 1940.

Net sales for the first three months of this year were $5,535,710, compared with $3,507,567 for the corresponding period last year.

Congress Weighs Radio Station Tax

(*Continued from page* 1)

subject is being seriously considered "from several angles."

Studies made in the past by the FCC have indicated that as much as $5,000,000 a year might be raised by taxes on broadcasters, based on the facilities enjoyed.

Congressman Sautoff pointed out that stations enjoy a monopoly "granted and protected" by the Government and declared they "should contribute liberally to the Government's support."

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Mutual, Ascap Deal Agreed; Outlets Voting

Fly Urges Speeding of Settlement by All

Ascap music will be back on the air soon via the Mutual network, as a result of the acceptance of a new licensing formula by the Mutual negotiating committee early yesterday.

Ascap estimates that the new network formula, which will have few if any variations if accepted by NBC and CBS, will return approximately $4,200,000 to the society per year. Of this amount, about $600,000 will be in sustaining fees.

Ascap collected more than $5,000,000 from radio last year, but prior to that its annual collections from

(*Continued on page* 6)

Name Aylesworth to Coordination Post

WASHINGTON, May 1.—Merlin H. Aylesworth, former NBC president and former publisher of the New York *World-Telegram*, who was named yesterday as chief of the radio section of the Nelson A. Rockefeller Committee for the Coordination of Cultural and Commercial Relations between the American Republics, is expected to name G. W. (Johnny) Johnstone, former director of publicity

(*Continued on page* 6)

20% Tax in Canada Due to Start June 1

Toronto, May 1.—Canada's 20 per cent tax on admissions will go in effect June 1, it is reported in film circles here, although the Government has not disclosed the starting date.

It is officially stated that the levy will apply to juvenile tickets but not to pass holders who do not contribute to theatre revenue. Small theatres in Toronto's East End have increased the children's matinee price from five to 10 cents, apparently anticipating the tax. It is expected that the levy will be passed to the public generally.

Para. Estimates Quarter Profit At $2,475,000

Paramount yesterday estimated its earnings for the first quarter ended April 5 at $2,475,000, after interest and all charges, including provision for Federal income tax computed at 30 per cent. The result includes $650,000, representing Paramount's net interest as a stockholder in the combined undistributed earnings for the quarter of partially owned, non-consolidated subsidiaries.

[MOTION PICTURE DAILY *reported on April 23 that Paramount's earnings for the quarter were estimated in Wall Street at approximately* $2,600,000.]

The result for the quarter compares with earnings of $1,606,000 for the

(*Continued on page* 7)

SAG Clamps Down on Free Talent in Shorts

HOLLYWOOD, May 1.—The Screen Actors Guild today ordered that no more free-acting talent could be supplied to producers of short subjects featuring film celebrities as "exploitation."

Henceforth, minimum guild scales must be paid to guild members for such productions as Columbia's "Screen Snapshots," RKO Pathe's "Picture People" and similar series. However, no salary need be paid if the celebrities are photographed under newsreel conditions without elaborate production arrangements.

Nathanson Status Awaits F. P. C. Meet

The annual meeting of stockholders of Famous Players-Canadian Corp., scheduled for today in Toronto, has been postponed to May 14, by which time, according to local reports, the continuation of N. L. Nathanson as head of the company may be decided. Barney Balaban, Paramount president, and other home office officials will attend the meeting.

Nathanson returned to Toronto yesterday after conferences with Paramount officials here. His contract as head of Famous Players-Canadian will expire in about two months.

U. S. Receives Complaints on Circuit Growth

WASHINGTON, May 1.—Exhibitor complaints against the continued expansion of affiliated circuits have been received at the Department of Justice from many sections of the country and action by the Department is under consideration, it was learned here today.

(*Continued on page* 7)

Majors to Sell Only Shorts In Minn. Pending Decision

Major distributors have suspended feature picture selling in Minnesota and will sell only short subjects there pending formal legal clarification of their position under the state's anti-consent decree law, it was learned yesterday.

The decision to suspend selling of features is in the nature of a precaution against an unwitting violation of the state law. The large majority of Minnesota accounts already have been sold the current season's product and the new law does not affect existing contracts.

First deal under new Minnesota law closed by Republic. —See Page 7.

'Citizen Kane' Given Colorful Premiere

A gala audience, studded with celebrities, attended the premiere of RKO's Orson Welles' picture, "Citizen Kane," at the RKO Palace on Broadway last night. In the throng were film executives, notables of the theatre and leaders in business and finance. The sidewalk throngs and floodlights stationed at Times Square added to the gayety of the affair. George J. Schaefer, RKO president, and Welles were in the audience. This was the first time in years that the Palace had seen an audience of such brilliance. Two-a-day run of the picture starts today. Seats are being sold four weeks in advance.

Myers Urges U. S. Tax on All Tickets

Would Exempt Ten-Cent Child Admissions

Abram F. Myers

WASHINGTON, May 1.—Total elimination of all admission tax exemptions except for children charged not more than 10 cents was proposed to the House Ways and Means Committee today by Abram F. Myers, chairman of the board and general counsel of Allied States Association.

At the same time, Myers urged that if the committee adopts the proposed rental tax it be so

(*Continued on page* 7)

20th-Fox Accepts Schenck Resignation

The 20th Century-Fox board of directors yesterday accepted the resignation of Joseph M. Schenck as chairman of the board and a director. A company announcement stated that when Schenck returns to Hollywood he will resume his production activities for the company.

No action was taken by the board with regard to a successor to Schenck as chairman. Edwin P. Kilroe was elected to succeed him as director. Kilroe has been with 20th Century-Fox for many years in a legal capacity and is in charge of its copyright matters.

'Ziegfeld Girl' Sets Pace on Broadway

"Ziegfeld Girl" led the Broadway box-office parade this week, with a big opening week at the Capitol, taking about $35,000 in the first week ending Wednesday. The second week began yesterday. Business in general on the street was spotty.

"The Lady from Cheyenne," with a stage show, brought the Roxy an

(*Continued on page* 7)

Personal Mention

ARTHUR F. LOCKWOOD, president of the MPTO of Connecticut, will leave New Haven shortly with MRS. LOCKWOOD for California.

•

VICTOR SAVILLE, M-G-M producer, is here from the Coast.

•

LESTER GOTTLIEB will leave tonight for a 17-day trip through the Midwest.

•

BENJAMIN LOURIE, Columbia New Haven salesman, will hold a Bar Mitzvah celebration for his son, ROBERT, on May 10.

•

JOHN T. FLOORE, manager of the Majestic, San Antonio, and his assistant, ROBERT NELSON, are both recovering from a recent illness.

•

LOU SCHAEFER, manager of the Paramount, New Haven, was host to a group of Boy Scouts at a theatre party this week.

•

ARTHUR ZIEHM and HERMAN ROSENFELD are due back from Atlanta this weekend.

•

O. B. THOMAS, manager of the State Theatre, San Antonio, is on the sick list.

W.B. Votes Dividend On Preferred Stock

Warner Brothers Pictures, Inc., has declared a dividend on the preferred stock of 96¼ cents a share, payable June 2. The company made a similar payment on last March 1 for the first quarter, which was the first such disbursement since 1932.

It was explained that this dividend, as was the previous payment, is a current dividend. The arrears on the preferred dividends, dating from 1932, amount to $33.68¾.

Roxy Pays 37½ Cents

The board of directors of Roxy Theatre, Inc., yesterday declared a quarterly dividend of 37½ cents per share on the outstanding preferred stock, payable May 31 to stockholders of record May 17.

Lindy's
INC.
RESTAURANTS
1626 BROADWAY 1655
(Next to the Rivoli Theatre) (51st Street Corner)
For over 20 years
the luncheon and
dinner place for
Motion Picture People
Sole agents in New York
for FAMOUS
BLUM'S ALMONDETTES
from
San Francisco, California

Now Illegal to Eject Dramatic Reviewers

Albany, May 1.—It will be illegal to exclude dramatic critics from legitimate theatres under the Davidson bill signed today by Governor Lehman. The law is designed for that purpose, but states that no one may be excluded or ejected from a theatre who has a ticket and whose actions are not abusive or tending to cause a breach of the peace. Film houses are not included.

Elect Robertson to Directorate of RKO

Hugh Robertson of Rockefeller Center, Inc., was elected a member of the RKO board of directors at a meeting of the board yesterday. He succeeds John Parsons, resigned.

Kenneth B. Umbreit, of the home office legal staff, was elected an assistant secretary of RKO at the meeting.

Arrangements for the projected $9,500,000 Keith-Albee-Orpheum bank loan, which are said to be nearing the closing stage, required no action by the RKO board, it was stated following the meeting. The company's new distribution deal for Samuel Goldwyn productions was ratified by the board of RKO Radio Pictures earlier.

George J. Schaefer, RKO president, who returned from the Coast to attend the meeting, is scheduled to leave for Hollywood again this weekend.

Opera Unit Leases Hollywood Theatre

The La Scala Opera Co. has closed a deal with Warners for the lease of the Hollywood Theatre at Broadway and 51st St. for six nights, May 16, 17, 18, 23, 24 and 25.

A series of operas will be given at the theatre, and the previous engagement to perform them at the Jolson Theatre has been dropped.

First Complaint Is Filed in Charlotte

The first arbitration complaint of record at the Charlotte local board was filed yesterday on clearance by H. B. Ram, operator of the Patricia Theatre, Aiken, S. C., against the five consenting companies.

At the same time the New York local board received its 11th complaint, also a clearance case against the five companies.

Ram's complaint names the Miller, Dreamland and Rialto theatres, Augusta, Ga., as interested parties, and requests that the Patricia be permitted to day-and-date with the other three.

The local complaint was filed by the Ramsey Theatre, Ramsey, N. J., which plays seven days after the Lafayette at Suffern, N. Y., and the Warner at Ridgewood, N. J. The complaint asks a reduction of that clearance.

Marcella Napp Gets Morris Agency Post

Marcella Napp, formerly in charge of casting and talent negotiations for M-G-M, has joined the William Morris Agency, in charge of the development of new film talent. J. J. Geller, head of the literary department of the agency, is en route to the Coast by train.

Will Hays Enters Chicago Hospital

CHICAGO, May 1.—Will H. Hays, president of the M.P.P.D.A., has entered St. Luke's Hospital here for general observation. He is expected to remain in the hospital about a week.

Tapernoux Leaves Firm

John S. Tapernoux and his wife, Rose Tapernoux, have resigned from the French Motion Picture Corp., which they founded in 1934, according to a press release from that company. Confirmation could not be obtained.

Newsreel Parade

ONCE again the devastating r sults of a Nazi air raid on Lo don make a newsreel highlight. Oth war subjects recorded are Canadi pilots leaving for England and th Crystal Palace, London, being r to provide metal for airplanes new issues and their contents

MOVIETONE NEWS, No. 68—Lon bomb attack. England conscripts wome Canadian pilots leave for England. Cryst Palace, London, demolished. New bridg over Niagara River. Army planes over M Shasta, Cal. Fashions. Rodeo in Cal fornia. Boxing at Arlington army cam New monkey at St. Louis Zoo.

NEWS OF THE DAY, No. 266—Rooseve urges bond purchases. Blitz raid in London. Crystal Palace, London, razed. Hollywood daredevils thrill orphans.

PARAMOUNT NEWS, No. 71—Boatin season opens in San Francisco Bay. Panama and Costa Rica in boundary treaty President Vargas of Brazil celebrates birthday. Quadruplets in Fargo, N. D. Main shipyards active. Canadian pilots leave fo England. Coast defense drill at For Barry, Cal. Sports activities at Arlingto camp. London bombed. Defense bonds an stamps issued; Roosevelt makes first purchase.

RKO PATHE NEWS, No. 71—Roosevel buys first defense bond. Worst air raid hit London. Crystal Tower, London, demolished. Marines on hike in California. Arm engineers at Fort Benning learn about railroads. Soldiers at Ft. McQuade, Cal. learn Coast defense. Forest fires in New England. Recreation day at Arlington camp. Surf carnival in Australia.

UNIVERSAL NEWSREEL, No. 976—Roosevelt buys first bond. Raid destruction in London; soldiers in maneuvers Crystal Palace dynamited. R. A. F. recruits sail from Canada. Army plane over Mt. Shasta, Cal. Coast defense gun fired at Fort Barry, Cal. Draftees at Arlington camp play ball. Beauty contest a Palisades Park, N. J. Rodeo in California. Girls wrestle in North Bergen, N. J.

Thomson Takes Over AGVA Local on Coast

HOLLYWOOD, May 1.—Ken Thomson, executive secretary of the Screen Actors Guild, and vice-president of the Association of Actors and Artistes of America assumed charge of the Los Angeles local of the American Guild of Variety Artists last night, with Kenneth Howard, local AGVA secretary, expected to turn in his resignation. Thomson placed Charles Drubin, SAG employe, in the AGVA office as his representative.

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Late News Flashes from the Coast

Hollywood, May 1

GENERAL MAXIMO AVILA CAMACHO, brother of the president of Mexico, was a guest today at a luncheon given by Y. Frank Freeman at the Paramount studio. The general is touring the country. A pledge of cooperation by the industry in the cause of Western Hemisphere unity was given to General Camacho yesterday by Kenneth Thomson, executive secretary of the Motion Picture Society for the Americas, a unit of Coordinator Nelson Rockefeller's Pan-American relations division.

• •

Estimated damage of $250,000 was caused today when fire razed the RCA warehouse here, destroying about 250,000 phonograph records and equipment.

• •

Alice Faye, Don Ameche, Cesar Romero and Carmen Miranda will co-star in "Honeymoon in Havana," 20th Century-Fox musical to be produced by William LeBaron, the company announced today.

• •

Nicholas Nayfack, executive assistant to E. J. Mannix, M-G-M studio manager, left tonight by plane for New York home office conferences.

• •

J. P. Friedhoff, chief production accountant for Monogram, today was promoted to comptroller by W. Ray Johnston, president. He succeeds Joseph Lamm, who resigned recently to open his own office in New York.

• •

George R. Bachellor, Producers Releasing Corp. production head, today announced that J. C. Bachman, former Paramount producer, and Arthur Freyhuss, former Fanchon & Marco producer, have been signed to head their own units for P. R. C.

Released right in time for NATIONAL MUSIC WEEK, May 4 to 11. Paramount's glorious music and youth show "THERE'S MAGIC IN MUSIC"

Freckles
KAYE CONNOR

The Fiddling Finn
HEIMO HAITTO

Dead Pan Patsy
PATRICIA TRAVERS

Wizard of the Keys
DOLLY LOEHR

SUSANNA'S the only girl to hit B Flat above High C!

ALL THIS COOPERATION TO HELP YOU SELL SEATS!

●

"GOOD HOUSEKEEPING" is sending a special mailing piece to 25,000 Women's Clubs throughout the country telling them to get behind **"There's Magic in Music"** when it plays in their communities!

●

3,700 LOCAL MUSIC CONTACTS made by Mr. C. M. Tremaine, Executive Secretary of National Music Week—urging showings of this picture during National Music Week.

●

1,500 MUSIC DELEGATES to Music Educators' Conference primed to carry the word about **"There's Magic in Music"** to their fellow teachers and pupils.

●

2,000 NATIONAL FEDERATION Music Clubs ready to place their full resources and cooperation behind **"There's Magic in Music."**

●

*... Just a small part of one of the most extensive campaigns ever placed behind a picture. The Press Book of **"THERE'S MAGIC IN MUSIC"** gives you all the details.*

Paramount Presents

"THERE'S MAGIC IN MUSIC"

with
ALLAN JONES • SUSANNA FOSTER
MARGARET LINDSAY • LYNNE OVERMAN
Grace Bradley • William Collier, Sr.
Produced and Directed by Andrew L. Stone
From a story by Andrew L. Stone and Robert Lively
Screen Play by Frederick Jackson
an Idea by Ann Ronell

Golden-voiced
ALLAN JONES

Paramount Pictures

"PENNY SERENADE'S" HO

2nd WEEK

WASHINGTON

2nd WEEK

SEATTLE

SAN FRANCISCO

2nd WEEK

2nd WEEK

NEW HAVEN

2nd WEEK

ST

Watch it grow...

as "Penny Serenade

D-OVER PARADE *Begins...*

2nd WEEK

BALTIMORE

2nd WEEK

SPRINGFIELD, MASS.

2nd WEEK

ATLANTA

2nd WEEK

LOUIS

LOS ANGELES

2nd WEEK

LINCOLN, NEB.

Becomes A Deluge Of Dollars!

COLUMBIA PICTURES

Mutual, Ascap Deal Agreed; Outlets Voting

(Continued from page 1)

radio were in the neighborhood of $4,000,000.

Mutual's 175 station affiliates will vote on acceptance of the new contract formula immediately, and the final result is expected to be known within a few days. While the stations will have the option of choosing a blanket deal, a per program contract, or no Ascap license at all, the question for the network will be acceptance of a blanket deal or none.

[MOTION PICTURE DAILY *yesterday said that indications were given early Thursday that Mutual had agreed on terms with Ascap and that an announcement would be forthcoming during the day.*]

[In Washington, FCC Chairman James L. Fly stated: "I can say that of course I feel there is a strong public interest in making available to the public at an early date the vast libraries of Ascap. I should be regretful if there should arise any impediment to the expeditious consideration of this problem by any and all broadcasters.

"I certainly think the movement is in the public interest and I am happy to hear that the entire industry is making progress in the negotiations which are now under way."]

The belief that Ascap music may return to the network next week was expressed at Mutual offices yesterday. In addition such stations as WOR; WGN, Chicago; KHJ, Los Angeles; the Don Lee network in California; WIP, Philadelphia; WHK-WCLE, Cleveland; WGR, Buffalo; WCAE, Pittsburgh, and WFBR, Baltimore, are expected to sign on an individual basis almost immediately.

Terms of the licensing agreement proved to be more favorable to the network and the stations than had been reported previously. Under the blanket license terms the network is to pay 3 per cent on the net proceeds for four years from the date of the contract and 3½ per cent until Dec. 31, 1949, expiration date of the contract. The amount of $1 a year will be paid by the network for sustaining programs.

The stations also will have to pay a monthly fee for sustaining programs equal to the highest rate charged for an hour of sponsored time but in no event greater than 1½ times the station's 1940 sustaining fee. Stations with less than $50,000 annual gross will continue to pay the usual nominal $1 per month fee.

Although the blanket deal runs until Dec. 31, 1949, the per program contract may run to the same date or a shorter period at the option of the station. This latter contract provides for 10 per cent of net receipts from musical programs; 3 per cent from programs using only theme songs or musical bridges; 1½ per cent for programs using incidental music only, and 1½ per cent for incidental music used in connection with football games. No license fee is required in connection with other sports events.

For sustaining programs, the charge will be one per cent of the station rate which would ordinarily be charged if the program were sponsored but the maximum would be the highest rate charged for an hour and not more than 1½ times the station's 1940 sustaining fee. No payment would be required for sustaining programs under the auspices of religious, patriotic or civic groups.

If the station elects the per program basis it must furnish a regular accounting as to all musical programs, item by item, with a list of all compositions broadcast, stating the title, composer, author, publisher, date of copyright, and the like.

There is an option provision in the contract which permits Ascap to change a per program deal to a blanket deal if payments are less than two per cent of net receipts during any year, and the station is given a similar option if payments exceed 5 per cent.

Neville Miller, president of the National Association of Broadcasters, in the meantime announced that it is his intention to have the Mutual-Ascap agreement studied for purposes of discussion at the organization's convention in St. Louis, starting May 12.

Color Television Not Yet Ready, Hanson Declares

Color television is not yet ready for commercial use and will not be for some time, O. B. Hanson, NBC vice-president and chief engineer, declared yesterday at the first demonstration of that network's color television developments. Hanson explained that although NBC is using 441 lines for color, horizontal resolution is only about half that achieved for black-and-white.

Hanson conceded that the system used is similar to that used by CBS but declared that earlier television experiments and motion pictures had established the principle of color through the use of three color disks. He refused to comment on the relative values of color and black-and-white and asked the viewers, all newspaper men, to judge for themselves.

Outdoor Pickups Possible

He stated that NBC could take outdoor television if it wished. In the case of a football game, color would make the uniforms of the teams stand out more clearly but the loss of resolution might prevent identification of individual players because their numbers could not be read, he explained. It would be for the public to decide which was more desirable, he added.

Yesterday's demonstration showed similar pictures on black-and-white and color on four separate receivers. The color did not reproduce effectively on a large 18-inch receiver because of lack of light. On the smaller set, however, the color was remarkably true to life, even in the troublesome flesh tones and blues. However, comparison with black-and-white showed how superior the latter was in terms of picture definition. NBC has field-tested color for 20 hours over the air and claims to have the greatest number of telecast hours in color on the air to its credit. Color has been received successfully as far away as Westport, Conn., Benson said.

FCC Grabs Nazi's Unlicensed Station

The new National Defense Operations Section of the FCC has run down an unlicensed station which has been signing off with "Heil Hitler." The operator, who identified himself on the air as "Fritz," claimed to be a code expert for a signal unit in a Germany army of occupation. Through use of the section's monitoring equipment the operator was located in Peoria, Ill., and identified as a senior student at an electrical engineering school. He attempted to destroy his equipment when seized but the effort was thwarted.

Name Aylesworth to Coordination Post

(Continued from page 1)

and special events for WOR and now radio publicity director for the National Democratic Committee and the Committee for the Celebration of the President's Birthday, as his assistant, it was learned today.

Aylesworth will succeed Don Francisco who, in turn, succeeds James W. Young, resigned, as head of the communications division.

It was stated in New York that Aylesworth had accepted the $1-a-year post for a period of 90 days, as he did not believe it would be fair to his present clients to take the position for a longer period. Aylesworth could not be reached for comment.

Pathe Film Quarter Net Profit $28,633

Net profit of $28,633 was reported by Pathe Film Corp. yesterday for the first quarter of the current year. Sole income consisted of $35,000, representing a dividend on Pathe's 3,500 shares of Du Pont Film Mfg. Co. common stock.

Du Pont Film's net profit for the quarter amounted to $439,258 after all charges. The portion of these earnings which accrued to the Pathe Film Corp. holdings amounted to $153,470, $118,740 of the sum being undistributed.

Ascap Veteran Dead

Howard E. Johnson, 53, an Ascap member for more than 20 years who wrote, among other things, the lyrics for "When the Moon Comes Over the Mountain," died at his home yesterday. He was employed for a year at the M-G-M studios and was under contract to Leo Feist, Inc.

CJLS Announcer Dies

YARMOUTH, N. S., May 1.—Earl K. Jeffrey, 23, for five years on the staff of Station CJLS, died after surgical treatment for a kidney ailment.

C of C Attacks Censoring of Broadcasting

WASHINGTON, May 1.—Censorship of broadcasting today was opposed by the United States Chamber of Commerce in resolution adopted at the close of its annual meeting.

While admitting that the rapid growth of radio for entertainment and educational purposes has made necessary regulation to prevent disorder and interference, the chamber resolution held that control is essentially a Federal problem and should not extend to private management, but be based on the principle that the interest of the listening public is the paramount consideration.

"Other forms of communication are primarily for the service of the sender, but broadcasting serves the listener," it was declared. "No regulation should attempt to force upon the public undesired program matter. Station owners, like newspapers and magazines, must be free to select and edit their program material."

SMPE Convenes in Rochester Monday

ROCHESTER, May 1.—The Society of Motion Picture Engineers will open its annual Spring convention at the Sagamore Hotel here on Monday. Ten technical sessions are scheduled during the four days of the meeting.

Recent advances in the screen and television technique will be discussed, with a number of papers scheduled to be read to the delegates. A feature of the meeting will be a full day's joint session with the Acoustical Society of America on Wednesday.

The convention will be called to order by William O. Kunzmann, convention vice-president. Emery Huse, SMPE president, will preside at the convention. An informal luncheon on Monday will be addressed by Mayor S. B. Dicker of Rochester, Dr. F. R. Watson, president of the Acoustical Society, and Dr. Howard Hanson, director of the Eastman School of Music. The semi-annual banquet and dance will be held in the hotel's Starlight Room on Tuesday evening.

Butterfield Circuit, Republic Close Deal

DETROIT, May 1.—The Butterfield circuit, comprising 110 theatres in Michigan, has closed for Republic's entire 1941-'42 lineup. James R. Grainger, president, and Sam Seplowin, Detroit branch manager, signed for Republic, while the circuit was represented by E. C. Beatty, president, and J. O. Brooks, chief film buyer.

Free Company Radio Series Ends Sunday

The Free Company series of radio dramas which has caused much controversy in the Hearst newspapers will end Sunday with a presentation of the late Sherwood Anderson's "Above Suspicion" over CBS. It was stated yesterday that the series may return to the air in the Fall.

Myers Urges U. S. Tax on All Tickets

(*Continued from page 1*)

worded that the distributor could [illegible] pass it on to the exhibitor.

Discussing the admission tax, he told the committee there is no great opposition on the part of the independent exhibitors to its extension, but there is a feeling that entire elimination of the exemption would remove the temptation to hard pressed theatre owners in competitive locations to cut admissions below 10 cents.

However, he said, the tax should not apply to children's admissions of not more than 10 cents. Application of the tax to such tickets, he argued, would seriously affect juvenile attendance and theatre grosses.

The Allied spokesman urged also that Congress eliminate the tax exemption now granted religious, educational or fraternal entertainments, but suggested that provision might be made for exemptions for soldiers attending camp or other theatres.

Many of the exempted organizations have practically gone into the amusement business, he declared.

For the protection of exhibitors, Myers said, the tax should be extended to cover rival amusements, such as bowling alleys, skating rinks and the like, which charge little or nothing for admission but a substantial sum for the use of equipment. All of these amusements could be taxed he said, by a provision applying the levy to the use of facilities.

Taking up the rental tax proposal, Myers pointed out that the uniform contract provides that the exhibitor shall pay all taxes on films.

He admitted he was arguing on the assumption that the tax was not proposed as a further burden on the small exhibitor but to tap the "supposedly inexhaustible resources of Hollywood."

"The independent exhibitors are in no condition to shoulder the film rental tax," he declared. "They are small business men, exploited by the 'film trust,' whose business already is burdened by the federal admission tax, in some states by taxes on their gross revenue, in virtually all states by municipal, state and fire marshal license fees, as well as by the general property and income taxes, which it seems inevitable will soon be increased.

"These independent exhibitors should not be confused with the producing and distributing branches of the industry, nor should they be associated in any way with the unfortunate publicity emanating from those branches regarding high salaries and extravagant living. Our members were born on the wrong side of the railroad track; they can't afford such luxuries."

Porter Rites Today

Edwin S. Porter, 71, pioneer director, who died Wednesday, will be buried in Kensico Cemetery, following services at 2 P. M. today at Cooke's Funeral Parlor, 117 W. 72nd St.

Para. Estimates Quarter Profit At $2,475,000

(*Continued from page 1*)

corresponding period a year ago, which included $716,000 of undistributed earnings of non-consolidated subsidiaries.

After deducting $270,988 of dividends accrued for the quarter on the company's outstanding first and second preferred stock, the result is equal to 89 cents per share on 2,466,620 shares of common outstanding, compared with 53 cents per share on such stock for the first quarter of 1940.

During the quarter, Paramount acquired 6,700 shares of its first preferred stock at a discount of approximately $8,400.

'Ziegfeld Girl' Sets Pace on Broadway

(*Continued from page 1*)

estimated $21,100 in its second week. "The Great American Broadcast" opened there yesterday.

"That Hamilton Woman" finally bowed out of the Music Hall, drawing about $71,500 in its fourth week. The total four-week tally was about $376,000. The show was succeeded yesterday by "That Uncertain Feeling" with the operetta, "Madame Butterfly" on the stage.

At the Rivoli, "Flame of New Orleans" did about $20,000 for its first week and continues. "Strange Alibi" finishes a week at the Globe tonight with about $4,000 expected. "Girl in the News" opens tomorrow.

"The Black Cat" brought the Rialto an estimated $5,200 for the week and will be replaced today by "Mutiny in the Arctic."

'Smith' Draws Big $24,000 in Detroit

DETROIT, May 1.—"Mr. and Mrs. Smith" and "A Girl, a Guy and a Gob" grossed $24,000 at the Michigan.

Estimated receipts for the week ending April 24:

"Man Made Monster" (Univ.)
"Horror Island" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $5,500)

"Philadelphia Story" (M-G-M)
"Captain Caution" (U. A.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,600. (Average, $7,000)

"The Devil and Miss Jones" (RKO)
"Dead Men Tell" (20th-Fox)
FOX—(5,200) (20c-44c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)

"Mr. and Mrs. Smith" (RKO)
"A Girl, a Guy and a Gob" (RKO)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $24,000. (Average, $12,000)

"Road to Zanzibar" (Para.)
"Trial of Mary Dugan" (M-G-M)
PALMS—(3,000) (25c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $7,000)

"Ziegfeld Girl" (M-G-M)
"Free and Easy" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days. Gross: $12,000. (Average, $10,000)

"Fantasia" (Disney)
WILSON—(1,400) (50c-75c-$1.10-$1.65) 7 days, 9th week. Gross: $6,500. (Average, $10,000)

Republic Closes First Deal Under Minn. Anti-Five Law

MINNEAPOLIS, May 1.—Gilbert Nathanson, president of Republic Pictures Corp. of Minneapolis, today accepted the first contract executed under the new Minnesota anti-blocks-of-five law.

Andrew Severson, operator of the Empress Theatre at Asakis, Minn., signed the first contract, for next season's Republic product, subject to acceptance of the contract by the home office. The contract provides cancellation of 20 per cent of the product and contains a "write in" clause with reference to the law.

Nathanson indicated that all contracts would be drawn with that provision, including any to be made for pictures contained on the current season's schedule.

'Barbara' Opening To Benefit R. A. F.

Part of the proceeds from the sale of tickets for the opening of the Gabriel Pascal-United Artists film, "Major Barbara," on May 13 at the Astor Theatre on Broadway will be donated to the Royal Air Force Benevolent Fund.

Chicago Operator Dies

CHICAGO, May 1.—Max Levin, projectionist at the 20th Century-Fox exchange here for the last 15 years, died suddenly today of a heart attack.

U. S. Receives Complaints on Circuit Growth

(*Continued from page 1*)

Under the industry consent decree, the affiliated circuits are required to report theatre acquisitions to the Department but action to restrain such acquisitions cannot be undertaken unless injurious results to competing theatres are apparent, it is understood. What form of action the Department will take in response to the requests has not been revealed, nor have any details of the expansion moves complained of.

Official sources commenting on the Minnesota anti-decree law expressed the opinion that the statute is unconstitutional because it places restrictions on interstate commerce and, through the arbitrary cancellation provision, deprives the distributors of property without due process.

It is not believed here, however, that the Department will initiate any action to test the constitutionality of the law, but probably will intervene as amicus curiae in the event the distributors do. In such a case, the Government would confine its opposition to the state law on the ground that it is an imposition on the jurisdiction of the Federal court and the Department, it is believed.

ROOKIES ON PARADE
A REPUBLIC PICTURE
BOB CROSBY • RUTH TERRY
GERTRUDE NIESEN • EDDIE FOY, JR.
MARIE WILSON • CLIFF NAZARRO
JOSEPH SANTLEY—Director • Screenplay by Karl Brown, Jack Townley and Milt Gross • Original story by Sammy Cahn and Saul Chaplin

'Ziegfeld Girl' Pulls $21,000, Philadelphia

PHILADELPHIA, May 1. — Mostly holdovers and subsequent runs featured the billing at the downtown houses. "Zeigfeld Girl" new film at the Stanley, realized $21,000 while "The Great Lie" drew $17,000.

Estimated receipts for the week ended April 23-25:

"Fantasia" (Disney)
ALDINE—(1,400) (50c-75c-86c-$1.14-$1.71) 7 days, 10th week. Gross: $5,000. (Average, $9,000)
"Nice Girl?" (Univ.)
ARCADIA—(600) (35c-46c-57c) 7 days. 3rd run. Gross: $3,200. (Average, $2,600)
"The Great Lie" (W. B.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $17,000. (Average, $13,000)
"A Girl, a Guy and a Gob" (RKO)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Abe Lyman's orchestra, Alan Mowbray, Henry King and Arlena, Rose Blane, Tommy Gleason's Royal Guards, Aaren & Broderick. Gross: $16,500. (Average, $14,000)
"The Saint in Palm Springs" (RKO)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Lois DeFee, "Dimples" DeLite, Joe & Jane McKenna, Cappy Barra Harmonica Swing Ensemble, Ann Pritchard & Jack Lord, and Willie Solar. Gross: $6,400. (Average, $6,900)
"Road to Zanzibar" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $13,800. (Average, $13,000)
"Buck Privates" (Univ.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,500. (Average, $3,000)
"Men of Boys Town" (M-G-M)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,400. (Average, $4,500)
"Ziegfeld Girl" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $21,000. (Average, $14,000)
"The Great Dictator" (U. A.)
STANTON—(1,700) (35c-41c-46c-57c-68c) 7 days, 7th week. Gross: $4,500. (Average, $4,500)

$6,800 Is St. Louis 'Zanzibar' Gross

ST. LOUIS, May 1.—"Road to Zanzibar," dualed with "That Night in Rio," grossed $6,800 in its second week at the Missouri.

Estimated receipts for the week ending April 24:

"The Devil and Miss Jones" (Col.)
"Melody for Three" (RKO)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $9,300. (Average, $11,500).
"The Lady from Cheyenne" (Univ.)
"The Man Who Lost Himself" (Univ.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $7,700. (Average, $11,000).
"That Night in Rio" (20th-Fox)
"Road to Zanzibar" (Para.)
MISSOURI—(3,514) (30c-40c-50c) 7 days, 2nd week. Gross: $6,800. (Average, $4,000).
"Men of Boys Town" (M-G-M)
"Ellery Queen's Penthouse Mystery" (Col.)
LOEW'S STATE—(3,514) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $9,000. (Average, $13,000)
"Riding on a Rainbow" (Rep.)
"Murder Among Friends" (20th-Fox)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $1,900. (Average, $2,600).

Mrs. Mooney Rites Set

The funeral of Mrs. Lillian F. Mooney, 56, wife of Paul C. Mooney, Sr., film man, who died Wednesday night, will be held at 9:45 A.M. tomorrow from the home, 35-63 80th St., Jackson Heights, L. I., followed by services at St. Joan of Arc Church there. Interment will be at St. Mary's Cemetery, Flushing. Mrs. Mooney was the mother of Paul C. Mooney, Jr., of the staff of *Motion Picture Herald.*

NYU Plans 4-Year Course on Screen

New York University has scheduled a new four-year course in motion picture writing and producing, to begin with the Fall term next September. It is said to be the only such course in an Eastern university. The University of Southern California has a somewhat similar course, it is understood.

Dr. Charles M. McConn, Dean of Washington Square College of NYU, where the course will be given, will be in general charge of the course, while Robert Gessner, former Warner writer, and English teacher at the college since 1930, will head the new department. It is planned to have visiting lecturers from Hollywood.

Dean McConn explained that approximately three-fourths of the course will include the usual type of liberal arts and sciences courses, while the remainder of the courses will be in the film technique. The motion picture courses, according to the plan, will start in the first year, and receive increasing attention during the regular four-year course. The usual B.A. degree will be given at the conclusion. NYU first offered a film course for adults in the early 1920's, and since 1932 the School of Education has had courses on the educational aspects of the screen.

'Jones' at $11,000 Good in Cincinnati

CINCINNATI, May 1. — "Road to Zanzibar" gave the RKO Albee $14,500, while "The Devil and Miss Jones" was good for $11,000 at the RKO Palace. Ted Weems and his orchestra helped "Melody for Three" to $12,000 at the RKO Shubert. The weather was cool.

Estimated receipts for the week ending April 23-26:

"Road to Zanzibar" (Para.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $14,500. (Average, $12,000)
"The Devil and Miss Jones" (RKO)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $10,000)
"Melody for Three" (RKO)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Ted Weems and orchestra. Gross: $12,000. (Average, $10,000)
"Men of Boys Town" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,800. (Average, $5,500)
"Sis Hopkins" (Rep.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $3,000. (Average, $5,000)
"Model Wife" (Univ.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $2,600. (Average, $4,500)
"Mutiny in the Arctic" (Univ.)
"She Couldn't Say No" (W. B.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Dead Men's Shoes" (Mono.)
"In Old Colorado" (Para.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800).
"That Night in Rio" (20th-Fox)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,800. (Average, $5,000)

'Bishop' Baltimore Winner at $11,000

BALTIMORE, May 1.—Business continued at a moderate pace, mostly with holdovers. "Cheers for Miss Bishop" drew $11,000 at Keith's.

Estimated receipts for the week ending April 24:

"Pot o' Gold" (U. A.)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $8,500. (Average, $10,000)
"Cheers for Miss Bishop" (U. A.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $11,000. (Average, $9,000)
"That Night in Rio" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $8,000. (Average, $7,000)
"The Great Lie" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)
"The Devil and Miss Jones" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days, 2nd week. Stage: Major Bowes "Prize Winners of 1941." Gross: $12,000. (Average, $14,000)

Mrs. Rose Brice Dies

HOLLYWOOD, May 1.—Mrs. Rose Brice, mother of Fanny Brice, is dead here at the age of 73 of a heart ailment. She had lived in this country for 65 years, having been born in Hungary.

'Zanzibar' $12,000 Wins in Cleveland

CLEVELAND, May 1.—"Road to Zanzibar" led here with $12,000 at Loew's State, but the Spring slump continued. Gene Autry's Rodeo provided nightly competition at the Arena.

Estimated receipts for the week ending April 24-25:

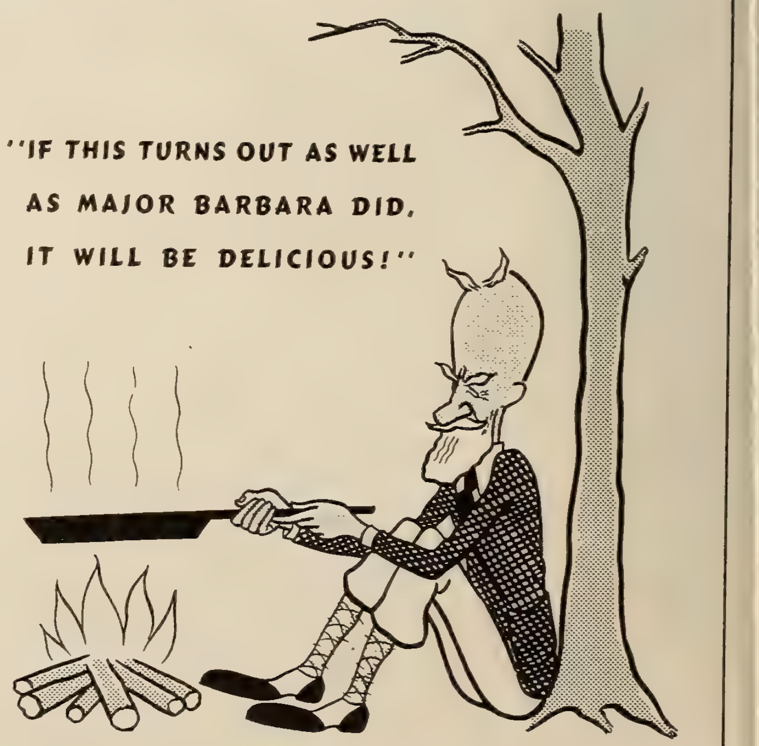
"The Devil and Miss Jones" (RKO)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $3,500. (Average, $4,000)
"The Great Lie" (W. B.)
WARNERS' HIPPODROME — (3,800)) (33c-39c-47c) 7 days. Gross: $10,500. (Average, $11,000)
"Adam Had Four Sons" (Col.)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. "Screwballs of 1941" Revue on stage. Gross: $11,800. (Average, $13,500)
"Road to Zanzibar" (Para.)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $12,000. (Average. $11,000)
"Men of Boys Town" (M-G-M)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $4,500. (Average. $4,000)

'Rio' Scores $19,500, High Frisco Gross

SAN FRANCISCO, May 1. — "That Night in Rio" paired with "Ride on, Vaquero" took $19,500 at the Fox, and held for a second week. "The De and Miss Jones" did a good $14,00 the second week at the Golden Ga The weather was fair.

Estimated receipts for the week ending April 22-26:

"The Devil and Miss Jones" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days, 2nd week. Stage: vaudeville. Gross: $14,000. (Average, $15,000)
"The Lady from Cheyenne" (Univ.)
"The Man Who Lost Himself" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. GROSS: $7,800. (Average, $8,000)
"That Night in Rio" (20th-Fox)
"Ride on, Vaquero" (20th-Fox)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $19,500. (Average, $16,000)
"Road to Zanzibar" (Para.)
"Mr. District Attorney" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $11,000. (Average, $11,500)
"Men of Boys Town" (M-G-M)
"Blond Inspiration" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week. (Moved over from Fox) Gross: $5,900. (Average, $6,000)
"Rage in Heaven" (M-G-M)
"Scotland Yard" (20th-Fox)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days . Gross: $10,500. (Average, $12,000)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (25c-35c-40c-50c) 7 days, 2nd week. Gross: $8,500. (Aver- $8,000)
"The Dream of the Butterfly" (Esperia)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $700. (Average, $1,000)
"Fantasia" (Disney)
GEARY — (1.288) (55c-75c-$1.10-$1.65) 7 days, 8th week. Gross: $11.000. (Average, $12.000)



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All 8 Majors May Join in Minn. Law Test

Univ., U.A., Col. Consider Suit with 'Big Five'

The Minnesota anti-decree law may be opposed by all major companies in the proposed court action to test its validity, it was learned on Saturday.

Universal, United Artists and Columbia, although not parties to the Federal consent decree against which the Minnesota law is directed, are considering joining with the five consenting companies in the test of the statute.

Decisions by Universal and United Artists are awaiting the return to New York of Nate J. Blumberg and Maurice Silverstone.

Republic, too, is reported as a possible addition, despite the fact that its Minnesota office made a deal under the new law last week which is subject to acceptance by the home office.

Major company attorneys expect a detailed report today on the effect of

(Continued on page 3)

RKO, NBC Deal on Short Wave Shows

RKO has signed a 52-week contract with NBC calling for sponsorship of two 15-minute programs weekly over shortwave to Latin America. On Tuesday evenings 8:15-8:30, starting tomorrow, RKO will present dramatizations of current films. At the same time on Thursdays lives of RKO stars will be dramatized. Frank Ortega will write, produce and cast the series under the direction of Michael J. Hoffay, RKO foreign publicity manager. No agency was involved, the contract having been negotiated directly.

27 20th-Fox Offices Abroad Are Closed

A total of 27 branches and sub-branches in 10 European countries have been cut off as a source of revenue for 20th Century-Fox since 1939. Twenty offices, including three in unoccupied France, are still doing business on the Continent.

O'Connor Will Be Offered Post As Aide to Blumberg

John J. O'Connor, former operating head of RKO Theatres, is to be offered the post of executive assistant to Nate J. Blumberg, Universal president, it was learned over the weekend.

If accepted by O'Connor, the proposal would be placed before the Universal board of directors for approval at an early meeting, probably next week. Final discussions from which such a proposal would crystallize will be held immediately following Blumberg's return from the Coast. Expected in New York today, Blumberg was stricken with a cold late last week and will be unable to leave the Coast for several days.

Would Handle Eastern Work

The Universal board meeting scheduled for late last week was postponed to await Blumberg's return. It is reported that the Universal president is desirous of spending a greater part of his time at the studio and, in line with that program, much of his work in the East would be handled by O'Connor.

Blumberg actually has been without an executive assistant in the East, although Matthew J. Fox, Universal vice-president, has frequently represented him at the studio, where Fox maintains his headquarters. Fox, however, is in line for military service and is scheduled to report to his draft board on the Coast late this month.

TELEVISION GOING COMMERCIAL JULY 1

Standards Set for Six Months; 15 Hours Weekly Required

WASHINGTON, May 4.—Full commercial operation of television received the "go ahead" for July 1 from the FCC in an order issued on Friday.

Standards recommended by the National Television System Committee were accepted virtually as proposed for a half-year tryout period. Stations will be required to provide only 15 hours of program service weekly. On Jan. 1, the standards will be re-considered in the light of the six months' experience, especially as applied to color.

Monopoly Report Issued

FCC monopoly report issued Saturday promulgates eight regulations, including prohibition against ownership of more than one network and more than one station in a given area. . . . Details on Page 4.

[MOTION PICTURE DAILY *on March 10 said chances were bright for the FCC's early approval of commercial television.*]

Formal issuance of the order may be delayed for several days but it was said the salient features are 525 lines, 30 frames per second and FM for

(Continued on page 3)

Estimate 'U' Half-Year Net At $1,700,000

Universal's earnings for the first half of the current fiscal year, ended April 30, are estimated in Wall Street at approximately $1,700,000 before provision for Federal taxes.

For the corresponding period last year, Universal reported net of $1,381,000 on the same basis.

The Wall Street estimate indicates a second quarter net of almost $1,000,000 before Federal tax provisions. Universal previously reported net profit for the first quarter of $703,795, on the same basis.

Hearing Adjourned For Fifth Session

Arbitration hearing of the Squire Theatre, Great Neck, L. I., complaint on clearance was resumed before the New York board on Friday and after the day's session was adjourned until tomorrow. This was the first case

(Continued on page 3)

Goldenson Finds Grosses Below Seasonal Average

Theatre attendance is below seasonal average in widely separated sections of the country, Leonard Goldenson, Paramount theatre head, reported over the weekend following his return from a cross-country business trip which included visits at more than a dozen of the company's theatre operating headquarters in the field during the past three weeks.

Population shifts from rural areas to urban centers have been brought about by the national industrial defense speedup, Goldenson said. The result has been that theatre attendance outside of large industrial centers has decreased noticeably, and what gains there have been in the larger cities have been insufficient to offset the rural losses.

Theatre operators are at a loss to explain the low attendance level,

(Continued on page 3)

Stage Group Weighs Child Matinee Plan

Alfred Harding of Actors Equity was elected chairman Friday of the joint committee of Equity, League of New York Theatres, Dramatists Guild, I. A. T. S. E., Theatrical Managers and Agents Union and the New York school system, for admission of school children at special matinees at nominal prices. The committee will meet tomorrow to determine whether the plan should be started soon or be deferred to the Fall.

Under the plan, as modified Friday, tickets will be scaled from 25 cents down, perhaps, to as low as 10 cents. Ticket prices will depend on actual expenses with no payment to performers, managers or dramatists. Efforts will be made to secure the cooperation of the Musicians Union.

Lehman Kills Minor Performers Measure

Albany, May 4.—Governor Lehman has vetoed the Ehrlich bill which would have authorized theatrical and radio performances by children under 16 years with the written permission of education boards. The measure was intended to liberalize the present law. Governor Lehman said the bill was defectively drawn and "its subject matter is much too important to be subjected to the confusion, uncertainty and inevitable legislation which would follow" if it became law.

200 Are Expected At SMPE Meeting

ROCHESTER, May 4.—Approximately 200 delegates from all parts of the country are expected to gather here tomorrow for the opening sessions of the four-day annual Spring convention of the Society of Motion Picture Engineers, at the Sagamore Hotel.

Among the important new developments in the technique of the screen to be discussed through the reading of papers in the 10 technical sessions scheduled, are the new Stereophonic sound-film system developed by the Bell Laboratories, three-dimensional photography, and the use of an "acoustic envelope," which is said to aid artists to hear themselves as others hear them.

Following registration tomorrow morning, there will be a general session, with reports from the convention arrangements committee, the financial vice-president, A. S. Dickinson, and the engineering vice-president, D. E. Hyndman, followed by a welcome delivered by Emery Huse, SMPE president.

The rest of the morning session will be devoted to discussions of visual education, aviation films, air conditioning and film delivery. Following the informal luncheon, to be addressed by Mayor S. B. Dicker of Rochester, there will be an illumination session in the afternoon and a sound session in the evening.

Starts Defense Matinee

YORK, Pa., May 4.—Early afternoon "defense matinees" have been introduced here by George Flicker, manager of the Hiway.

Personal Mention

GEORGE J. SCHAEFER, RKO president, has extended his New York stay a few days and expects to leave for the Coast this week.

•

OSCAR A. MORGAN, Paramount shorts sales manager, returns today from a trip, with FRED LEROY, coordinator of exchange operations, and MONROE GOODMAN, his assistant.

•

W. RAY JOHNSTON, Monogram president, and TREM CARR, production head, are due from the Coast today.

•

KATHARINE BROWN of Selznick Productions has returned from Hollywood.

•

LOUIS BERGER, operator of the Ideal and Empress, Philadelphia, has announced the engagement of his daughter, ADELINE, to DR. DANIEL SILK. They will be married in November.

•

BEN SIMON, 20th Century-Fox New Haven manager, is en route to Miami Beach for a two-week fishing trip with SAM ROSEN and SAM WEBER of New Haven.

•

HARRY M. BESSEY, secretary-treasurer of Altec Service Corp., has returned from the Midwest.

•

CHARLES MAYER, Dutch East Indies manager for 20th Century-Fox, is expected here next month.

•

ERNEST GROHE, Chicago salesman for 20th Century-Fox, has returned there after a visit here.

•

GEORGE BACKER left Saturday for Europe by clipper.

•

TED SCHLANGER, Warner Theatres zone manager in Philadelphia, was instrumental in raising $1,000 in the industry there for the Deborah Sanitarium.

•

HARRY G. BALLANCE, 20th Century-Fox district manager in Atlanta, is the father of a daughter, MARTHE PATRICIA, born last week.

•

VIVIENNE CRAFTS has announced her engagement to HARRY J. TAKIFF, assistant to JACK COHN, Columbia vice-president.

•

CLARENCE HAKE, Australasian managing director for 20th Century-Fox, is expected on the Coast May 18 from Sydney.

•

LOU BROWN, Loew-Poli publicity manager in New Haven, has returned from a trip to Baltimore and Washington with his family.

•

JACK BLOOM, manager of the contract department at the 20th Century-Fox home office, is due back from Boston today.

•

THEODORE MINSKY, head of the out-of-town bookings of Warner Theatres, Philadelphia, faces a draft call June 1. STANLEY ARNOLD, his assistant, has been called up for medical examination.

•

HERBERT WHITE, manager of the Havana office of 20th Century-Fox, is expected here this week for a visit.

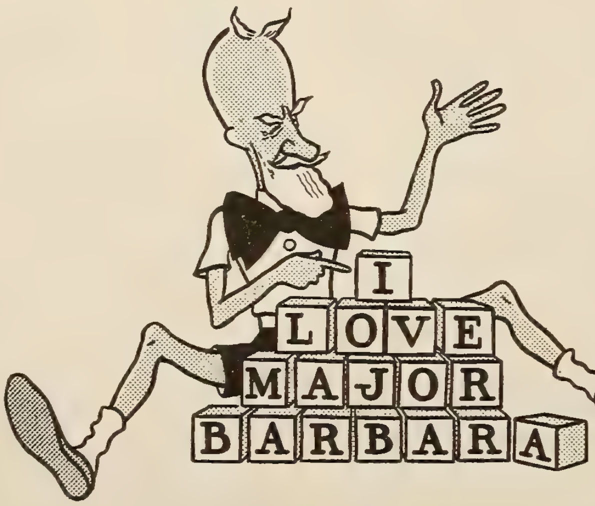
•

JOE PASTERNAK left Saturday for Toronto and is expected back here tomorrow.

•

PHIL ENGEL, Warner exploitation man, has left on an upstate trip.

"FORTUNATELY THE CREATION OF A FILM MASTERPIECE IS CHILD'S PLAY TO ME"



GABRIEL PASCAL, producer of "Pygmalion", presents a magnificent picturization of George Bernard Shaw's famous play **"MAJOR BARBARA"** starring WENDY HILLER; co-starring Rex Harrison and Robert Morley • Released thru United Artists.

LOS ANGELES can hardly wait to see it at the FOUR STAR. NEW YORK CITY is counting the days until it comes to the ASTOR THEATRE.

Extension Granted In Pickwick Action

NEW HAVEN, May 4.—Federal Judge Carroll C. Hincks has granted a 20-day extension, until May 19, for defendants' answers in the $5,452,575 anti-trust suit filed by Perfect Theatres, Inc., operators of the Pickwick Theatre, Greenwich, Conn., against the major companies, Skouras Theatres and Fox Metropolitan (now Metropolitan Playhouses, Inc.)

Attorneys for the plaintiff company are Cummings & Lockwood of Stamford, Conn., and for the defendants the attorney is Charles M. Lyman of New Haven. All the major companies but 20th Century-Fox are among the defendants.

J. C. H. Wink, Circuit Operator, Dies at 54

DALTON, Ga., May 4.—J. C. H. Wink, 54, co-owner and operator of the Manning-Wink circuit in North Georgia and Tennessee, died in an Atlanta hospital late last week. He is survived by his wife and two daughters.

Phila. Club Party Held

PHILADELPHIA, May 4.—The Showmen's Club held its first social event of the year at its clubrooms over the weekend, a May hop for the benefit of the club's Welfare Fund. Bennie Biben was chairman of the entertainment committee.

Quebec Owners in Protest on New Tax

OTTAWA, May 4.—Canadian Finance Minister Ilsley has received a telegram from the Quebec Allied Theatres, an association which represents every theatre in the province, asking for a hearing on the provisions of the new Dominion budget affecting theatre operations.

Quebec theatre owners contend[illegible]at in their province, the new 20 pe[illegible]t Dominion tax on admissions is a [illegible]ax on a tax," since theatre tickets are supplied by the Government for tax record purposes, and this is expected to throw out the calculations on which the present provincial amusement tax is based.

No change has been made in the price of admission to date in Quebec, and the owners are absorbing the entire 20 per cent tax on admissions.

Kent Leaves Today For Studio Parleys

Sidney R. Kent, president of 20th Century-Fox, will leave tonight for the Coast, where home office executives will meet with studio heads on new season production plans, beginning Thursday. Charles E. McCarthy, director of advertising and publicity, also leaves today.

Division Managers William J. Kupper, William Sussman and William C. Gehring left over the weekend. Herman Wobber, general sales manager, already is on the Coast.

Kent is scheduled to return here in time for the stockholders meeting May 15. Following the meeting he is expected to return to the Coast to resume the product talks.

Comerford to Build House in Lebanon

J. J. O'Leary, general manager of Comerford Theatres, announced over the weekend that the circuit has acquired property for a new theatre in Lebanon, Pa. It will be a 1,000-seat house. Construction is scheduled to start immediately for Fall opening.

Phila. Unit Elects June 7

PHILADELPHIA, May 4.—Election of officers of the Motion Picture Associates will be held June 7.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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FCC Approves July 1 Start For Television

(*Continued from page 1*)

sound. Because more than the seven lower channels in the television band are needed for adequate development of commercial service, the 11 super channels also will be made available. Not more than three stations may be under the same control.

More than a year ago, the FCC authorized limited commercial television to start Sept. 1, 1940, but the order was subsequently revoked. However, the present order permits full rather than limited commercialization.

Stations Are Ready For Commercial Shows

NBC, CBS and DuMont Laboratories will be technically ready to begin sponsored television programs in New York on July 1, it was ascertained on Saturday.

NBC's station, W2XBS, in the Empire State Building, has been operating three times weekly on a scheduled basis and at other times for testing purposes. CBS's Chrysler Building station will be in technical readiness in a few weeks, it was said, and program preparations for commercial operations will be the sole task remaining for a July 1 start. DuMont's station at Madison Avenue and 53rd Street is now ready.

There are some 3,000 sets in the New York area operating on present standards, it is estimated, all of which can be changed over to the new standards. An additional 1,000 sets are on manufacturers' or dealers' inventories.

Hearing Adjourned For Fifth Session

(*Continued from page 1*)

filed in New York. Tomorrow's session will be the fifth for the hearing.

M-G-M was erroneously named as a respondent last week in the report of the arbitration complaint filed at the Pittsburgh local board by Frank Biordi, operator of the Majestic, Ellwood City, Pa., it was ascertained at American Arbitration Association headquarters here on Friday. M-G-M is in no way involved in the complaint.

Wisconsin Hearing May 21

MILWAUKEE, May 4.—Hearing of the clearance complaint of the Grand, New London, Wis., operated by Lee Macklin, has been set for May 21 before Carl B. Rix, arbitrator, at the local board.

Pery En Route to Offices in Sydney

N. P. Pery, newly appointed Columbia home office supervisor for Australasia and the Far East, left for the Coast by plane over the weekend. He will spend a few days in Hollywood before leaving by clipper for Australia, where he will establish headquarters at Sydney.

To Remodel in Newark

NEWARK, N. J., May 4.—The Paramount-Newark Theatre will undergo renovation in June.

Feature Reviews

"The People vs. Dr. Kildare"

(M-G-M)

Hollywood, May 4

THIS number in the Kildare series is well above par for the course, a comedy-drama that relies upon story for interest, rather than upon personalities or characterizations, and tells its tale without artificiality, subterfuge or sparring for effect. No one need have seen its predecessors to enjoy it and it places upon its witnesses no obligation to come back for the next, although it would be a suitable point at which to take up a pursuit of the series.

As the title suggests, a lawsuit supplies the complication in the narrative. Dr. Kildare operates upon an auto crash victim at the scene of the wreck, removing her subsequently to the hospital where her injuries heal but leave her partially paralyzed. Ice skater by profession, she sues Dr. Kildare for $100,000. The steps by which it is established that paralysis preceded the crash, in fact causing it, make up a suspenseful and plausible chronicle.

In addition to Lew Ayres, Lionel Barrymore, Laraine Day and Bonita Granville, who plays the crash victim, the cast includes Alma Kruger, Red Skelton, Paul Stanton, Diana Lewis, Walter Kingsford, Nell Craig, Tom Conway, Marie Blake, Eddie Acuff, George H. Reed, Chick Chandler, Frank Orth and Gladys B. Lake.

Direction by Harold S. Bucquet makes full use of solid material.

Running time, 78 minutes. "G."* ROSCOE WILLIAMS

"The Phantom Pinto"

(Arthur Ziehm, Inc.)

OVER-EMOTIONAL performances and colorless dialogue tend to make ineffective this effort in outdoor melodrama by retarding the action. The film was produced by Dick L'Estrange, directed by Richard C. Kahn and features names of little marquee value. Dave O'Brien has the lead and the chief support is provided by a youngster named Buzzy Henry. The girl is Dorothy Short.

The basic narrative tells of foreign agents attempting to obtain a strip of land which, unknown to the owner, contains valuable ore.

Running time, 55 minutes, "G."*

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* *"G" denotes general classification.*

All 8 Majors May Join in Minn. Law Test

(*Continued from page 1*)

the statute on distributor operations in Minnesota from David Shearer, Minneapolis resident attorney. Following study of the report, the New York attorneys will decide on the procedure in bringing the statute before a Federal court to test its constitutionality.

If no clear decision on the law's validity has been received by next Sept. 1, when the block-of-fives provision of the consent decree becomes effective the consenting companies will be obliged to request an exemption from the decree for their Minnesota operations from Federal Judge Henry W. Goddard here. This procedure would not be necessary, however, if the Minnesota law is invalidated or the state enjoined from enforcing it.

Meanwhile, most major companies have suspended feature picture sales in Minnesota pending clarification of the law.

La Guardia Urges All to See 'Liberty'

Mayor F. H. LaGuardia on Saturday issued a special message urging New Yorkers to see "Land of Libertry," which opens in local RKO and Loew houses today. James Marshall, president of the Board of Education, also has endorsed the film.

Coast Strike Vote Studied by Writers

HOLLYWOOD, May 4.—Preliminary plans were taken late last week to make provision for a strike vote by the membership of the Screen Writters Guild, following a meeting of guild members at which dissatisfaction was expressed with the progress of negotiations with producers on a new contract.

A guild committee continued meetings here over the weekend with producer representatives on a new contract to supplant that which expired on April 10. The guild committee is composed of Sheridan Gibney, president; Ralph Block, Sidney Buchman, Dwight Taylor, John Howard Lawson, Mary McCall, Jr., and Stanley Rubin.

Grosses for Season Below Par: Goldenson

(*Continued from page 1*)

Goldenson said, particularly in view of nationwide reduction of unemployment and the stimulus of national defense spending.

Even in industrial areas where key plants are operating on a 24-hour basis, employing three times the ordinary number of workers, no sustained gain is reflected in theatre attendance, the Paramount official reported. In such localities attendance is below normal during the week and good only on Saturdays and Sundays. The weekend improvement, however, seldom is sufficient to hold weekly attendance averages to better than seasonal levels, he said.

ROOKIES ON PARADE
A REPUBLIC PICTURE
BOB CROSBY • RUTH TERRY
GERTRUDE NIESEN • EDDIE FOY, JR.
MARIE WILSON • CLIFF NAZARRO
JOSEPH SANTLEY—Director • Screenplay by Karl Brown, Jack Townley and Milt Gross • Original story by Sammy Cahn and Saul Chaplin

F. C. C. Limits Net Operation By New Rules

By BERTRAM F. LINZ

WASHINGTON, May 4.—Eight new regulations designed to lift all restrictions on the freedom of stations affiliated with the networks were promulgated yesterday by the FCC in its long-awaited report on chain broadcasting.

The adoption of these regulations, it declared, will result in "an increased number of networks and, consequently, a larger supply of available network programs and a wider latitude for all stations in obtaining network programs," at the same time bringing about a gain in quality as well as quantity as a result of increased competition among the networks.

Findings of the majority of the Commission were not concurred in by Commissioners Norman S. Case and T. A. M. Craven, but the report was signed by Chairman James L. Fly and Commissioners Paul A. Walker, George Henry Payne, Frederick I. Thompson and Ray C. Wakefield.

The Regulations

Under the new regulations:

No network organization will be allowed more than one station within a given area and stations will not be licensed to chains in communities where the outlets are so few or of such unequal desirability as to require that all facilities be open to competition among networks for outlets and among stations for networks.

No chain will be permitted to operate more than one network.

No affiliation contract may restrain a station from carrying programs offered by other networks or restrict any network to one station in an area.

No affiliation contracts may run longer than one year or bind stations from scheduling such programs as they may consider in the public interest.

No option clause may require a station to cancel other programs merely because the chain offers a program for the optioned hour; stations shall have the final decision as to what programs they shall or shall not broadcast; and

RCA Setup Analyzed

Affiliation contracts shall not carry any provision depriving a station of the right to set its own rates and to compete freely with networks for advertising revenues.

The report called the attention of Congress to the problems raised by the concentration of power in the hands of a single group, as exemplified by NBC, a part of an organization (RCA) which straddles the fields of communications, radio-equipment manufacture, and entertainment.

[The impression in the trade is that the FCC's findings will affect the status of NBC, which operates two networks.]

But CBS also is severely criticized and, while Mutual is contrasted with the other two in discussing size, structure and mode of operation, it is found to have a tendency to follow the paths toward restrictive practices blazed by the senior circuits.

The commission denied that the new regulations will injure either national program service or destroy the "American system" of broadcasting. On the contrary, it was declared, the alternatives to improvement in the situation in this manner are Government ownership or strict regulation in every detail such as is exercised over the railroads by the Interstate Commerce Commission. Both alternatives are repugnant.

No General Solution

The regulations will not solve all questions involved in network operation, it was admitted, the report pointing out that electrical transcription and talent supply have not been ruled upon, but the regulations have been limited to "the proven requirements of the situation, and especially to insuring the maintenance of a competitive market."

The regulations are effective immediately, except that with respect to existing contracts and arrangements, the effective date is deferred for 90 days and the regulation concerning network ownership of stations may be further extended from time to time with respect to any station to permit the orderly disposition of properties.

Defense Keynote of NAB Convention in St. Louis

ST. LOUIS, May 4.—Defense will be the keynote at the opening session of the National Association of Broadcasters convention which will open in St. Louis, Tuesday, May 13. The first day's morning meeting will be devoted to a round table discussion of defense problems. Participating will be FCC Chairman James L. Fly; Maj. Gen. R. C. Richardson, Jr., War Department public relations director; Com. H. R. Thurber, Navy Department, and Lowell Mellett, President Roosevelt's administrative assistant.

Address by Wallace

Following a luncheon meeting at which Vice-President Henry A. Wallace will speak, group meetings will be held in the afternoon, including those of Independent Radio Network Affiliates, National Independent Broadcasters, clear channel, regional and local stations, and sales managers.

About 1,000 representatives of stations and affiliated businesses are expected. The NAB represents 520 stations. Various committees will meet the day before the convention opens. The NAB board will meet that evening.

The Wednesday morning session will be devoted to the music situation. U. S. Senator Wallace White is tentatively scheduled to speak at that day's luncheon. The afternoon session will be on operating problems, including daylight saving time, insurance, and recording standards. In the evening an open meeting will be held on facsimile, television, FM and international broadcasting.

Radio Advertising Discussion

Radio advertising problems will be discussed Thursday morning. Col. Willard Chevalier, publisher of *Business Week,* will speak. At the luncheon, Mark Ethridge, *Louisville Courier-Journal* general manager who has been designated by President Roosevelt to survey newspaper ownership of radio stations, will lead a discussion on that subject. Labor relations and other problems, election of directors and selection of a 1942 convention city will occupy the final session Thursday afternoon.

The annual industry banquet will be held Thursday night and the new board of directors will hold its first meeting Friday morning. Neville Miller, president, will be chairman at all sessions.

NBC Blue Gross Up 10% in Four Months

Billings on NBC-Blue were about 10 per cent higher for the first four months of 1941 than for the same period last year, E. P. H. James, Blue sales promotion manager, estimated Friday. James stated that only three shows will leave the network during the Summer. James has just issued a survey on Summer listening entitled "Hot Months for Radio Advertising."

Network Heads to Educational Forum

Network heads and educational officials left over the weekend for Columbus, O., to attend the four-day 12th Institute for Education by Radio which started yesterday at Ohio State University. The Institute annually provides a forum for the joint discussion by educators, broadcasters and civic leaders on problems confronting efforts for education by broadcasting.

Readers' Bargaining Hearings Tomorrow

Hearings will start tomorrow before N.L.R.B. Trial Examiner Daniel Baker on the petition by the Screen Readers Guild for designation as collective bargaining agency for salaried and piece-work screen readers employed by major companies here.

MBS Drops Billings

Following the lead of the three other major networks, Mutual over the weekend announced that it was discontinuing the release of its monthly gross billings. Mutual, however, will make them public at the year end.

Retrial Ordered in CBS Libel Action

The Appellate Division of the N. Y. Supreme Court has ordered a new trial of the $250,000 libel suit brought against CBS, Edwin C. Hill and the American Tobacco Co., by Moses Polakoff, reversing a previous dismissal. Polakoff had claimed he was libeled by Hill in a WABC broadcast Aug. 12, 1937, in comment on the trial of Lucky Luciano, for whom Polakoff was attorney.

---

120 of 175 MBS Stations Divide on Pact

About 120 of Mutual's 175 member stations had voted about evenly for and against acceptance of Ascap's proposed new license contract at the weekend, it was reported yesterday.

A majority of the stations, or 88, is needed for ratification of the contract by the network. The decisive returns are not expected to be received by Mutual headquarters here before today or tomorrow.

No breakdown of the early returns was made public, but it was stated that votes both for and against the contract had been anticipated. For example, those against ratification included the Yankee and Colonial networks headed by John Shephard III, and Cincinnati stations headed by Hulbert Taft, Jr., both of whom voted against the pact at the meeting here last week and followed up their action with wires to Mutual stations urging that action be withheld.

NBC-Mutual Stations Oppose

Also included in the voting against ratification were approximately 20 stations which are members of the NBC Blue Network as well as of Mutual.

Voting for acceptance of the contract were stations of the Don Lee chain and Mutual stockholder stations, it was said.

Both Fred Weber, Mutual general manager, and Gene Buck, Ascap president, scored Neville Miller, president of the National Association of Broadcasters, in weekend wires to him, for his message to Mutual stations last week urging them to take no action on the contract pending an analysis of it at the N. A. B. convention in St. Louis next week.

Miller was out of the city over the weekend and could not be reached for a reply.

Power of WMCA Is Up to 5,000 Watts

WMCA last week boosted its power to 5,000 watts. Station engineers threw the switch at 8:29 P.M., Thursday, almost immediately after word came from Washington that the FCC had granted permission for the power increase.

The almost instantaneous changeover was made possible by the fact that the transmitter plant at Kearny, N. J., is equipped with a directional antenna. The station has been operating from Kearny with 5,000 watts day and 1,000 at night since last Fall.

Station engineers said that the increase will be particularly effective in rendering additional service for outlying sections in New Jersey.

Para. Group to Bahamas

Edward H. Griffith, Paramount producer-director, with Madeleine Carroll and Virginia Van Upp, script writer, will leave shortly for the Bahamas for location shots for "Dildo Cay," Paramount film. Griffith and Miss Van Upp arrive today from the Coast.

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Intelligent
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Picture
Industry

MOTION PICTURE DAILY

First in
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49. NO. 88 NEW YORK, U. S. A., TUESDAY, MAY 6, 1941 TEN CENTS

Justice Dep't Gets Monopoly Data from FCC

NBC, CBS to Fight Rules Enforcement

WASHINGTON, May 5.—The Department of Justice has received a copy of the FCC monopoly report, James L. Fly, chairman, said today. Further action is "up to the Attorney General" he declared, adding that the FCC itself was making no recommendations.

At the Department of Justice it was stated that immediate action is not expected but the material furnished will be examined.

Interest here today centered largely around the dissent to Saturday's majority report, in which Commissioners Case and Craven charged that the Commission was exceeding its authority in promulgating the proposed regu-

(*Continued on page* 10)

'Broadcast', 'Feeling' Strong on Broadway

The new films on Broadway had a good weekend while holdover attractions were slightly under the average level.

"The Great American Broadcast" with a stage show got off to a strong start at the Roxy, bringing about $30,100 Thursday through Sunday. It will be held.

At the Music Hall, "That Uncertain Feeling" and "Madame Butterfly" on the stage also had a good weekend and will hold over. Business Thursday through Sunday was in the neighborhood of $56,000.

"Reaching for the Sun" opens at the Paramount tomorrow with Alvino

(*Continued on page* 4)

B. E. Fay, Providence Exhibitor, Dies at 58

PROVIDENCE, May 5.—Funeral services will be held here tomorrow morning for Bernard E. Fay, 58, local exhibitor and brother of Edward M. Fay, who died in his sleep on Saturday after a brief illness. Solemn high mass will be said at the Church of the Assumption. He is survived by his widow, Henrietta M. Keenan Fay, and three sisters, in addition to his brother.

Bernard Fay, originally a profes-

(*Continued on page* 4)

Sherwood's 'There Shall Be No Night' Awarded $1,000 Pulitzer Drama Prize

"There Shall Be No Night," play by Robert E. Sherwood which ran for six months on Broadway last year, yesterday was voted the $1,000 Pulitzer Prize for the best American play of the year. No award for a novel was made.

The trustees of Columbia University School of Journalism also made the following awards, for the period April 1, 1940, to April, 1941: Best biography, "Jonathan Edwards," by Ola Elizabeth Winslow; outstanding history, "The Atlantic Migration," by Marcus Lee Hansen; poetry, "Sunderland Capture," Leonard Bacon; most meritorious public service by a newspaper, *St. Louis Post-Dispatch;* editorials, Reuben Maury, New York *Daily News;* reporting, Westbrook Pegler, *New York World-Telegram,* for his articles on scandals in the ranks of organized labor; cartoon work, Jacob Burck, *Chicago Times.* The *New York Times* was given a special citation for its foreign news.

Nathanson Fails to Exercise Option on FP Canadian Stock

MONTREAL, May 5.—Famous Players Canadian Corp. today advised the Montreal Stock Exchange that N. L. Nathanson, president, did not exercise his option to purchase 11,000 shares of the company's capital stock. The option expired April 30 after having been extended twice.

It is the first instance of a failure by Nathanson to exercise a stock option under his long term employment contract with Paramount Pictures as head of Famous Players Canadian. The employment contract expires in two months.

Failure to exercise the option aroused considerable interest here in view of the uncertainty over a renewal of Nathanson's contract.

To Seek Writ Halting Minn. Enforcement

Major companies' counsel have begun preparation of an application for an injunction to restrain Minnesota authorities from enforcing the state's anti-consent decree law pending a ruling on its constitutionality.

The papers probably will be completed in four or five days and will be filed in Hennepin County Court in Minneapolis immediately thereafter.

The move will be made by at least six companies, including the five consenting companies and United Artists. There appears to be considerable doubt whether Columbia and Universal will join in the action.

FCC Monopoly Report Seen Affecting Television Start

Friday's "go ahead" television order from the FCC brought little reaction from the radio industry yesterday. It was completely overshadowed by discussions of the FCC monopoly report.

Many executives took the view that there would be considerable hesitation about making large investments in television in view of the fact, as Niles Trammell, NBC president, put it, that the monopoly report "penalized" the pioneer stations in aural broadcasting.

A CBS television official stated that the television situation would have to be "studied" in the light of the monopoly report.

Some observers stated that RCA might turn its concentration on the-

(*Continued on page* 10)

Jolson Defendant In Contract Action

Al Jolson was named defendant yesterday in a suit for $25,050 damages filed in the N. Y. Supreme Court by Harry Jolson, said to be his brother. The plaintiff claims that in February, 1934, the defendant promised to pay him $150 weekly and to make him the defendant's theatrical agent in consideration for the plaintiff's promise not to remain as an actor. The agreement was made, the complaint stated, because Al Jolson was desirous of reserving the name of "Jolson" in the profession for himself. Payments to the plaintiff ceased in 1937, according to the suit.

Majors Take $12,900,000 From England

Full Year's Withdrawal Under Agreement

The eight major American companies will complete the withdrawal from Britain this week of the entire $12,900,000 of distribution revenue which they are entitled to transfer from London during the current year's agreement, it was learned yesterday.

Several of the companies received their final remittances for the year from London yesterday and others expect theirs before the end of the week.

Under the British agreement, 37½ per cent of the $12,900,000 transferable was remitted during the first quarter beginning Nov. 1, last; another 37½ per cent during the second quarter ended May 1, and the final 25 per cent became eligible for withdrawal from London the same day, provided each of the companies had earned their final amounts by that date. So far as is known, all eight companies had met the "if earned" condition prior to May 1.

The major companies, therefore, will receive no further revenue from

(*Continued on page* 4)

Oklahoma and N. O. Cases Withdrawn

The only arbitration complaint of record in Oklahoma City has been conciliated, while in New Orleans the sole remaining case was withdrawn yesterday. Both were against Warners and involved "some run."

The Oklahoma City case was brought by J. D. Guest, operator of the Ritz. After being scheduled for hearing on May 1 before Dean Perrill, arbitrator, it was settled and withdrawn.

The New Orleans case was the last of three "some run" complaints filed

(*Continued on page* 4)

In Today's Issue

Three Hollywood reviews: "Major Barbara," Page 3; "A Woman's Face," "Her First Beau," Page 4. Hollywood production news, Pages 3 and 12. Key city grosses, Page 9.

Coast Flashes

Hollywood, May 5

TOM WALKER today became treasurer of Edward Small Productions. He formerly was Eastern representative for Hal Roach and had been for 20 years an aide to Dr. A. H. Giannini.

•

Burt Kelly, former producer at Universal and Republic, today joined Paramount as associate producer under Sol C. Siegel.

•

Joseph M. Schenck, 20th Century-Fox board chairman, has arrived at the studio from New York.

•

Officers commissioned in the Signal Corps Reserve from the industry met tonight at the 20th Century-Fox studio to complete preliminary organization plans for the corps' film unit. Guests were Lieut. Col. Richard T. Scholsberg and Lieut. Col. Herbert T. Perrin of the War Department General Staff, both here in connection with the Academy of M. P. Arts & Sciences training films program.

•

Charles Coburn today was assigned the title role in RKO's "Unexpected Uncle," originally given Thomas Mitchell, who is recovering from injuries sustained recently.

P. C. A. Insists on Changes in 'Outlaw'

A production code seal will not be issued for Howard Hughes' "The Outlaw" unless extensive changes in the picture are made, it was stated here yesterday following conferences between Francis Harmon of the M.P.-P.D.A. and Russell Birdwell, Hughes' publicity representative.

The conferences followed a screening of the picture for the M.P.P.D.A. board of directors last week on an appeal by Hughes from a Production Code Administration ruling in Hollywood denying the picture a seal. The board upheld the P.C.A. ruling.

It was stated that the changes regarded as necessary are extensive due to the fact that they are concerned with the costuming of Jane Russell, feminine lead in the picture, in virtually every scene in which she appears.

Goodwin Appointed M & P District Head

Boston, May 5.—Jack C. Goodwin, for several years managing director of the Metropolitan Theatre here, has been appointed district manager of the North Shore division of M. & P. Theatres. He has been succeeded at the Metropolitan by John B. Carroll, former manager of the Paramount in Boston. Goodwin assumes the position formerly held by Chester L. Stoddard, who has taken over supervision of the M. and P. Theatres' Maine, New Hampshire and Vermont circuit, filling the vacancy created by the death of the late Armand J. Moreau.

Ben Rosenberg, former manager of the Fenway, has been appointed manager of the Paramount in Boston and he has been succeeded at the Fenway by Abner Pinanski, manager of the Modern Theatre in Boston. Harry Goldberg, former assistant to Pinanski, is the new manager of the Modern.

Personal Mention

SIDNEY R. KENT, president of 20th Century -Fox, has postponed his departure for the Coast, scheduled for yesterday, until the middle of the month.

•

W. F. Rodgers, M-G-M general sales manager, has returned from the Midwest and South. He plans to leave for the Coast in a few weeks.

•

Bernard B. Kreisler, Universal short subject sales manager, returned yesterday from a trip around the country.

•

H. M. Richey of M-G-M will go to New Haven today.

•

Dan Sanfilippo of the RKO art department reports today for Army service.

•

Edgar Selwyn and Robert Sinclair are scheduled to leave for the Coast tonight on the TWA Stratoliner.

•

Angelo Scura, manager of the New Family Theatre, Rochester, is aiding in a benefit to provide gifts for local draftees at his theatre May 22.

•

Ernest Lieberman, manager of the Squirrel Hill Theatre, Pittsburgh, is the father of a son, born late last week.

•

Frances Silverman of the Warner New Haven exchange is motoring to Miami Beach.

•

W. H. Sherman, recently promoted by Universal from Indianapolis salesman to manager at Omaha, was a weekend visitor in Kansas City.

•

Claude Morris, Kansas City M-G-M publicity head, flew Governor Ratner of Kansas to an affair at Hutchinson, Kan., in his own plane.

•

Danny Danker is here from the Coast.

NATE J. BLUMBERG, Universal president; J. Cheever Cowdin, chairman of the board, and W. A. Scully, vice-president and general sales manager, are scheduled to arrive from the Coast on Friday.

•

George Archibald, joint managing director in Great Britain for United Artists, is expected on the clipper from Lisbon Thursday.

•

Leo Devaney, Canadian sales chief for RKO, has returned to Toronto from New York.

•

Roy Avery, M-G-M branch manager in Atlanta, and Charles Kessnich, Southern district manager, have returned to Atlanta from a Florida trip.

•

Halsey Raines of the M-G-M publicity staff is en route to Havana for a vacation.

•

Major Charles H. Tebay, United Artists manager in Trinidad, leaves for his post Thursday on the *S. S. Evangeline* after a visit here.

•

Orson Welles left last night on the TWA Stratoliner for Chicago and Hollywood.

•

Genevieve Ziemba will be married May 24 at Columbus, O., to Robert Repass, son of Charles Repass, operator of the Crown Theatre, Hartford, Conn.

•

Arthur Smith, Mayor of Newtown, Conn., and operator of the Edmond Town Hall Theatre there, has been nominated without opposition for the election being held today.

•

Oscar Neufeld will direct the Variety Club "Miss Philadelphia" contest for the Atlantic City beauty pageant.

•

Will C. Murphey has gone to Baltimore to publicize a rodeo.

Face High Chicago Fee on 'Wind' Run

Chicago, May 5.—Chicago exhibitors who play "Gone With the Wind" at the stipulated admission of 50 cents are faced with an additional license fee during the run of the film of from $7.50 to $33 daily, depending upon the seating capacity of the house.

The present city license fees are based on seating capacity and admission price. Jack Kirsch, president of Illinois Allied, is conferring with officials of M-G-M and city officials in an effort to find a solution to the problem. Most members of the organization charge less than 40 cents admission.

Kirsch Urges Fight On Film Rental Tax

Chicago, May 5.—Jack Kirsch, president of Allied of Illinois, has sent a letter to all members urging that they immediately file protests with Chairman Doughton of the House Ways and Means Committee against the proposed Federal tax of five per cent on film rentals, and the proposed tax on admissions of 10 cents.

Lakewood Benefit For Victims of Fire

Stars of the screen, stage, radio and the sporting world will appear at two benefit shows at the Strand and Palace in Lakewood, N. J., tomorrow evening, under the auspices of the American Red Cross for relief of victims of the recent forest fires in New Jersey.

Dr. Henry Brown, who operates the theatres, heads the arrangements committee. The entire proceeds of the shows will go for the relief work.

Swain Rites Are Held

Columbus, O., May 5.—Services were held today for J. W. Swain, former operator of the Pastime, Hippodrome and Knickerbocker theatres here, who died over the weekend at St. Francis Hospital. His widow, two daughters and a son survive.

Kansas Showman Dies

Kansas City, May 5.—John Schnack, who operated the Electric Theatre, Larned, Kan., died late last week. Schnack was one of the oldest exhibitors in Kansas.

SMPE Hears of Film Use in Air Training

Rochester, May 5. — The use of motion pictures in training for civil and military aviation was described to delegates to the annual Spring convention of the Society of Motion Picture Engineers, which opened its four-day meeting at the Sagamore Hotel here today. More than 200 are attending.

The board of governors decided yesterday to hold the Fall convention in New York, at the Hotel Pennsylvania, and the next Spring convention in Hollywood. Student memberships in the SMPE were discussed and further action will be taken at a board meeting in July.

The paper on "Aviation Films—A New Frontier for Motion Picture Production" was prepared by Arch A. Mercey of the Office of Government Reports and T. M. Ellingson, Civil Aeronautics Board.

R. A. Kissac of the University of Minnesota described the visual education program developed at the University. Improved sound reproduction was the subject of a group of papers read during the sound session this evening. Fantasound, developed for the Walt Disney Studios, and Vitasound, developed at Warners, were discussed. The elimination of sound reproduction distortion was suggested in a paper by J. O. Baker and R. O. Drew of RCA.

At an informal luncheon today, Mayor S. B. Dicker of Rochester welcomed the delegates. Dr. F. R. Watson, president of the Acoustical Society of America, and Dr. Howard Hanson, director of Eastman School of Music here, also spoke. Dr. Hanson commended the work of the engineers.

An afternoon session today was devoted to illumination.

Erpi Vice-President Gets Defense Leave

T. E. Shea, Erpi vice-president in charge of engineering, has been granted an indefinite leave of absence to participate in studies for the National Defense Research Committee.

A temporary reorganization places Dr. E. M. Homan in charge of all engineering relating to motion pictures. He will retain his Hollywood headquarters and report to Clifford W. Smith, West Coast vice-president.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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Over the Top

Washington, May 5

THE local M-G-M office claims the distinction of being the first organization in the country to go 100 per cent "over the top" in buying defense bonds and stamps. When the office's 50 employes arrived at work Thursday morning, every one of them already had his or her defense securities, which did not go on sale until that day.

The group was able to do this by arranging with the National Metropolitan Bank to have the stamps and bonds ready.

Realign Papers In Minneapolis

MINNEAPOLIS, May 5.—A combination of newspapers here will materially affect the amount of reader material theatres will be able to obtain.

The Minneapolis *Star-Journal* is combined with the *Tribune* newspapers. The *Star-Journal* takes over publication of the *Morning Tribune* in the *Star-Journal* plant. The *Times-Tribune,* afternoon newspaper, continues publication in its own plant. The *Sunday Tribune* combines with the *Sunday Star-Journal* as the *Sunday Star-Journal and Tribune.*

The *Sunday Tribune* some time ago began publication of weekly rotogravure film story page, a policy started by the *Sunday Star-Journal.* Both papers also carried two and three-page theatre sections, and both had other roto spots for motion picture art. John Cowles, president of the *Star-Journal,* continues as president of the new combined company. The companies pointed out the deal is not a merger, but a realignment so that all newspapers in Minneapolis are published by one company.

New Lobby Display Developed by NSA

National Screen Accessories is offering a new type of lobby display, installed for the first time in the RKO Palace here for the engagement of "Citizen Kane." The display, developed by American Display Corp., factory unit of National Screen, is said to give the effect of neon lighting.

The new display, it is said, can be made to fit any size frame or shadow box, and in any form. The cost is said by National Screen to be small. By May 15 the new product will be available at eight branches and by July 1 at the remaining branches, the company announced.

Buenos Aires Halts 'Argentine Nights'

BUENOS AIRES, May 5.—Municipal authorities here will decide whether Universal's "Argentine Nights" will be banned for exhibition in the city's theatres after viewing the film.

Audience demonstrations caused the police to order a suspension of its showing on Saturday. The picture opened at the Cine Suipacha on Friday. Police said the demonstrations were the result of "inaccurate presentation of Argentine garb and traits, which the audiences interpreted as ridicule."

Hollywood Review

"Major Barbara"

(United Artists)

Hollywood, May 5

FOR the second time Gabriel Pascal has produced and directed for the screen a George Bernard Shaw play, rich in stage record and for the second time he has supplied trade and public with a fine film, as entertainment and as a production.

As is to be expected of a film made from a Shaw play, dialogue dominates all other factors in the production. There are single speeches in "Major Barbara" that most Hollywood scenarists would give their fortunes to have written, single sequences that approximately any of them would regard as a life's work well done. Regardless of plot, and the plot is by no means to be lightly regarded, the wealth of these tucked into the running time is a fulsome reward for any theatregoer of any place and time.

Likewise as is coming to be expected of a Pascal production, acting runs dialogue a close second. Wendy Hiller in the title role gives a performance rating with the best ever caught by a camera. Rex Harrison, an actor reminiscent of Leslie Howard, matches her lead in the opposite casting, while Robert Newton, as a bully who gets over it, sets something of a mark for the course. Robert Morley as a munitions manufacturer, Emlyn Williams as a charity-thief and David Tree as a society weakling distinguish a cast which includes Sybil Thorndyke, Deborah Kerr, Penelope Dudley-Ward, Marie Lohr, Walter Hudd, Marie Ault, Donald Calthrop and Miles Malleson. Every role is, in the English manner, a characterization, not a rubber stamp, and each is given its opportunity to register in behalf of itself and the whole.

There are passages in the picture which may be expected to encounter some momentary, even continuing, resentment on the part of individuals who do not symphathize with the Shaw point of view, although he supplies plenty of wordage on both sides of the subjects with which he deals. In the beginning, for instance, the Salvation Army and its works are glorified, later on to be de-glamorized, if the acceptance of gifts from distillers and munitions makers constitutes "de-glamorization," and ultimately abandoned by the heroine. Likewise the munitions industry, personified by a principal character, is depicted in turn as responsible for wars and then as the indispensable means for the prevention of wars, this detail being managed in such fashion as to give the beholder his choice of opinions, the film electing the latter.

The central thread in a story woven of many concerns a girl, daughter of a millionaire, who has devoted her life to Salvation Army work. She meets a college professor who, for love of her, joins in the work. When her commanding officer accepts financing from a distiller and a munitions manufacturer, the latter being the girl's father, she leaves the service, disconsolate. How the arms magnate reconciles daughter, suitor and all concerned to acceptance of his point of view is shown with expertness and skill, audience acceptance of the conclusion being whatever it may be.

Following the close of the picture, Shaw addresses the American citizenry, speaking for and as himself, in a seven-minute speech on plays, destroyers, naval bases and, principally, Shaw, mixing wit with observation and referring, as the film does not, to the present war in Europe. This is separate from the picture proper and exhibition of it is, presumably, optional. This seven minutes is not included in the running time given below.

Running time, 115 minutes. "G."*

ROSCOE WILLIAMS

**"G" denotes general classification.*

Mexico Seeks Cuts In Argentine Tariff

MEXICO CITY, May 5.—Efforts have been started by Mexico's producers to arrange reciprocal and reduced customs tariffs on Mexican and Argentine films. The Mexican producers contend it is unfair that the Argentine duty on Mexican pictures is $170 each, while that of Mexico on Argentine films is only $22.50 each. Jorge Velez, young Mexican actor, who is soon to make a goodwill tour of the Argentine, has been named representative of the Mexican producers.

As Mexican films have made good headway in the Argentine, Mexican producers are not as much worried about the popularity of Argentine pictures in Mexico as they were a short time ago.

Roosevelt Resigns From Producer Ass'n

HOLLYWOOD, May 5.—The Association of M. P. Producers at its monthly meeting today was advised of the resignation of James Roosevelt because of his Marine Corps duties. In a letter Roosevelt expressed a wish to resume membership on his return to active production. The directors also discussed plans to cooperate with the conventions of the M. P. T. O. A. and Pacific Coast Conference of Independent Theatres here in June.

Mrs. Adams Rites Today

Funeral services will be held today at 10 A.M. at St. Anne's Church, Stewart Manor, L. I., for Mrs. Mary A. Adams, 79, mother of Al Adams of the RKO advertising department. She died on Saturday.

Eight Pictures Finished; 46 Now in Work

HOLLYWOOD, May 5.—Forty-six pictures were before the cameras this week, as eight were finished and 14 were started. Twenty-five were being prepared, and 80 were being edited.

The tally by studios:

Columbia

Finished: "Blondie in Society."

In Work: "Our Wife," "Heaven Can Wait."

Started: "Tillie the Toiler."

Goldwyn

Started: "The Little Foxes."

Korda (U. A.)

In Work: "Illusions."

M-G-M

Finished: "Bargain Basement."

In Work: "Unholy Partners," "Get-Away," "Barnacle Bill."

Started: "The Yearling."

Monogram

In Work: "Wrangler's Roost," "The Gang's All Here."

Producers Releasing

In Work: "The Texas Marshal."

Paramount

Finished: "Forced Landing," "The Parson of Panamint," "World Premiere."

In Work: "Hold Back the Dawn," "Aloma of the South Seas," "Nothing but the Truth," "Birth of the Blues," "Henry Aldrich for President."

RKO

In Work: "Before the Fact," "Tom, Dick and Harry," "The Devil and Daniel Webster," "Parachute Battalion," "Father Takes a Wife," "Lady Scarface," "Dude Cowboy."

Republic

Finished: "Angels with Broken Wings."

In Work: "Nevada City."

Started: "Puddin' Head."

Small (U. A.)

Started: "International Lady."

20th Century-Fox

Finished: "Man Hunt."

In Work: "Sun Valley," "Belle Starr."

Started: "Dance Hall," "Dressed to Kill," "Yank in the RAF," "Last of the Duanes," "Private Nurse."

Universal

Finished: "Law of the Range."

In Work: "Abbott and Costello and Dick Powell in the Navy," "Big House Blues."

Started: "Moonlight in Hawaii," "Rawhide Rangers."

Warners

In Work: "Sergeant York," "Dive Bomber," "Manpower," "Bad Men of Missouri,' "Flight Patrol," "Navy Blues."

Started: "Bullets for O'Hara."

Ohio Censor Cuts Drop to 13 in April

COLUMBUS, O., May 5.—Thirteen eliminations, the smallest number since July, 1939, were ordered from a total of 481 reels reviewed by the Ohio censors in April. During March, there were 53 eliminations ordered from 617 reels reviewed. The figures for April, 1940, were 16 eliminations from 589 reels.

Majors Take $12,900,000 From England

(Continued from page 1)

Great Britain until next Nov. 1, or until a new remittance agreement is negotiated, unless the industry's current efforts to obtain the release of additional amounts of blocked sterling are successful. Acting under a clause in the current British monetary agreement which provides that the remittance terms may be liberalized in the companies' favor if Britain's foreign exchange position is materially improved during the life of the agreement, the industry already has pointed out to the British Embassy at Washington and the State Department that the Lease-Lend Bill and the $7,000,000,000 loan to Britain should bring about the stipulated result.

No formal action has resulted yet from the industry's representations.

Adjustments of the withdrawals which have been made by the eight companies may be necessary at the year end if the results of a checkup to be made after Nov. 1 show that individual company business in Great Britain for the agreement year entitles them to more or less than was represented by their withdrawals. Such adjustments would be handled here by the companies themselves.

Australian Withdrawal Limit Up to $2,300,000

Negotiations for an increase in the amount which the eight major companies may withdraw from Australia this year have resulted in raising the limit from the originally specified $2,100,000 to a final sum of $2,300,000, home office foreign departments have been advised.

The new amount compares with $3,200,000 which the companies were authorized to withdraw from Australia last year.

'Broadcast,' 'Feeling' Strong on Broadway

(Continued from page 1)

Rey's orchestra and Eddie Bracken on the stage. The show succeeds "Road to Zanzibar," which completes its fourth and final week tonight with about $29,000 expected. It drew an estimated $16,500 over Saturday and Sunday.

"I Wanted Wings" drew about $3,200 at the Astor Saturday and Sunday and completes its sixth week tonight with an estimated $6,500. The film begins its seventh and final week tomorrow and will be replaced May 13 by "Major Barbara."

B. E. Fay, Providence Exhibitor, Dies at 58

(Continued from page 1)

sional musician, had been associated with his brother in the theatre business for many years. At the time of his death he was assistant treasurer of the C. & F. Theatre Co. Formerly he managed the Rialto and Majestic Theatres here.

Pallbearers will include Edward L. Reed, William S. Baker, George F. Clarke, John F. Toohey, William A. McCabe and John Carroll. Ushers will be Martin R. Toohey and Harold H. Price.

Hollywood Reviews

"A Woman's Face"

(M-G-M)

Hollywood, May 5

ALTHOUGH dealt with as a study in psychology and produced with all the care and magnificence which M-G-M devotes to a film aimed for the biggest and best theatres, this Joan Crawford vehicle is at bottom and in all essential respects a horror picture, perhaps the most expensively and elaborately produced horror film on record.

Whether the exquisiteness of its manufacture will detract from its value as a horror film in the houses that feature them, and whether the horror aspect will detract from or add to its usefulness in the de luxe theatres, are questions for the test of exhibition to answer. It is in any case, a dark and fearsome study of the physical and the psychological, with the emphasis on the latter but also with the necessary crime and the inevitable murder in full and generous display.

The locale is Stockholm and a country place in Sweden, the time the present. Miss Crawford plays a girl, facially disfigured and spiritually distorted by the reaction of other people to her blemishes, who has become a blackmailer, leader of a band preying upon wealthy women who write letters. She meets a wealthy maniac who does not cringe from her, they form a partnership and she agrees to murder a child whose removal will make him heir to an estate.

By chance she comes into contact with an expert in plastic surgery who succeeds in removing her scars. The changed attitude of people she meets subsequently changes her outlook upon life and she withdraws from her agreement to murder the child, ultimately killing her partner to keep him from doing so. She is tried for this, the story being told in terms of flashbacks from the trial scene, and presumably acquitted. Meanwhile she has fallen in love with the doctor and he with her.

Produced by Victor Saville and directed by George Cukor, the film is a solid and impressive achievement from the technical point of view. An involved story is related with a clarity seldom matched.

Opposite Miss Crawford, as the maniacal partner, is Conrad Veidt, portraying a suave and conscienceless scoundrel, with Melvyn Douglas, abandoning humor for the time, as the doctor. Others in a cast admirably selected for their roles and making the most of them in every instance are Osa Massen, Reginald Owen, Albert Basserman, Marjorie Main, Donald Meek, Connie Hilchrist, Charles Quigley, Clifford Brooke, George Zucco, Henry Kolker, Robert Warwick and many more.

While there is nothing in the picture to keep from the children, the subject matter is a bit over the heads of the very young.

Running time, 105 minutes. "A."* ROSCOE WILLIAMS

"A" denotes adult classification.

"Her First Beau"

(Columbia)

Hollywood, May 5

THIS is a fine and fetching comedy-drama in the family groove offering Jane Withers, co-starred with Jackie Cooper, in a sparkling performance as the young lady of 15 experiencing the emotional thrills suggested by the title. It is true to its subject matter, stressing the light side and straining at no time for weight or significance, and suitable for any audience in the market for clean and refreshing entertainment.

In addition to the co-stars, the picture offers Edith Fellows, William Tracy, Martha O'Driscoll, Josephine Hutchinson, Una O'Connor, Jonathan Hale and Addison Richards in principal roles, plus Kenneth Howell in a secondary assignment that stands out as a commanding portrayal. As directed by Theodore Reed, for producer B. B. Kahane, the picture gives all hands ample opportunity for participation in the credit for a satisfying picture.

Miss Withers and Cooper portray adolescents who have been neighbors and pals through childhood in a typical American small town. Arrival of Tracy, Miss Wither's college-age uncle, accompanied by Howell, his wealthy school chum, introduces a romantic element into the circle of young people who make the Withers home their gathering place. Incidents which bring the young lady through a period of fascination to a realization that her interest in the visitor is imaginary make up the story.

Running time, 77 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

Stunt Pilot Injured

HOLLYWOOD, May 5.—Paul Mantz, 37, veteran film stunt pilot, was critically injured yesterday in a car smash.

Carol Bruce in 'Lewis'

HOLLYWOOD, May 5. — Carol Bruce is due from New York for a lead in "I, James Lewis" for Universal.

Church Using Films To Show Activities

Ottawa, May 5.—Modern motion picture methods of recording Diocesan activities were announced by Rev. Northcote R. Burke in his publicity report at the 47th Session of the Synod of the Diocese of Ottawa here.

Sound film equipment, including camera and projector, has been purchased, R[illegible] Burke, chairman of the Diocesan publicity committee, told delegates, and a new color picture "Work and Worship in the Parish" is being prepared for Fall showing.

Oklahoma and N. O. Cases Withdrawn

(Continued from page 1)

by Charles K. Wollner, operator of a drive-in theatre. Wollner has been called for military service, it was reported. One of his previous cases was settled and the other was dismissed following a hearing.

Hearing dates have been set as follows: Boston, Lucien Descoteau, Manchester, N. H., against Paramount, on clearance, May 19, Henry Channing arbitrator; Milwaukee, Evansville Theatre against Paramount on clearance, adjourned from today to May 13.

Phila. Board Manager Transferred to N. Y.

PHILADELPHIA, May 5.—William Elliott, manager of the local arbitration board, has been transferred to American Arbitration Association headquarters in New York for work on the organization's national defense activities. M. R. Yetter of this city has been named to replace him.

Legion Approves 14 Of 16 New Pictures

The National Legion of Decency for the current week has approved 14 of 16 new films reviewed, classifying six as unobjectionable for general patronage and eight as unobjectionable for adults, while two were classed as objectionable in part. The new films and their classification follow.

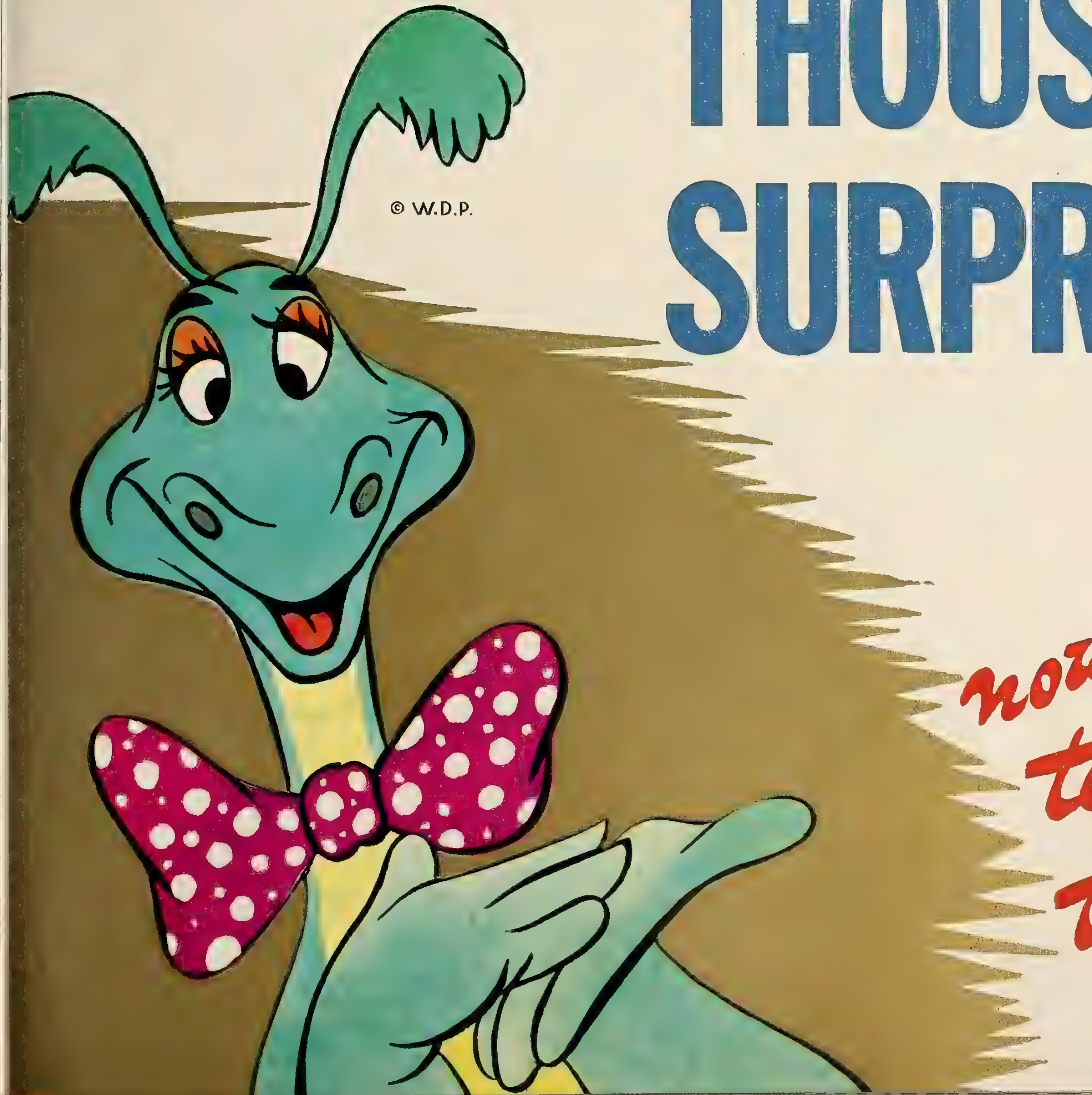
Class A-1, Unobjectionable for General Patronage—"Drums of the Desert," "The Haunted House," "Ole Swimmin' Hole," "Pals of the Pecos," "People vs. Dr. Kildare," "Ridin' the Cherokee Trail." Class A-2, Unobjectionable for Adults—"Affectionately Yours," "Citizen Kane," "Dead Man's Shoes," "Great American Broadcast," "The Invisible Ghost," "Roar of the Press," "Rookies on Parade," "Strange Alibi." Class B, Objectionable in Part—"The Ape," "Under Age."

Sues for Commissions

Emil Neugebauer has filed suit for $200,000 in the N. Y. Supreme Court against Nate J. Blumberg and Lawrence Waterman, Blumberg's secretary. Neugebauer claims that he discovered Gloria Jean, and that in October, 1938, he made a deal to turn her over to Universal for agreed commissions.

Walt Disney's

MIRACLE SHOW OF A THOUSAND SURPRISES



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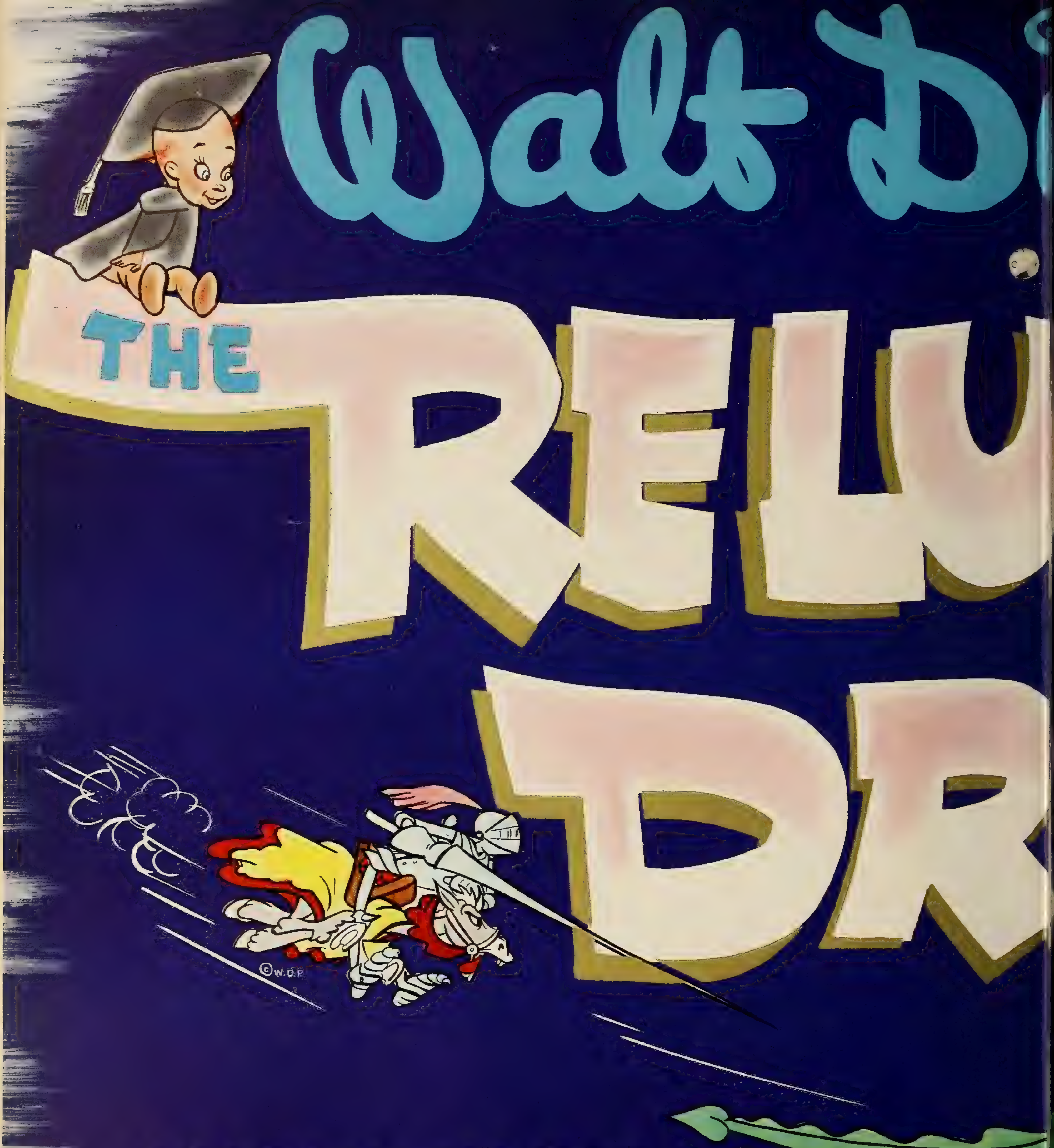
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Robert **BENCHLEY**

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DISTRIBUTED BY RKO RADIO PICTURES

© WALT DISNEY PRODUCTIONS

". . . and in June another "Kitty Foyle""

From Academy Award Winner Ginger Rogers now comes "Tom, Dick and Harry," a riotous romanticomedy heralded in Hollywood as the show most likely to give "Kitty Foyle" a battle for top box-office honors. With Ginger are George Murphy, Alan Marshal and Burgess Meredith. Directed for RKO Radio by Garson Kanin. Produced by Robert Sisk. Story and Screen Play

'Serenade' Is Los Angeles Hit at $27,500

LOS ANGELES, May 5.—"Penny Serenade" and "Footlight Fever" scored a total of $27,500 at two ho[illegible] $13,000 at the Hillstreet and $14,[illegible] at the Pantages. "Topper Returns," with Carmen Miranda on the stage of the Chinese, took $16,000.

Estimated receipts for the week ending April 30:

"Topper Returns" (U. A.)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Stage: Carmen Miranda. Gross: $16,000. (Average, $12,500)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 13th week. Gross: $7,300. (Average, $17,000)
"That Hamilton Woman" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 6th week. Gross: $3,200. (Average, $3,250)
"Penny Serenade" (Col.)
"Footlight Fever" (RKO)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $13,000. (Average, $6,500)
"Topper Returns" (U. A.)
"The Penalty" (RKO)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $10,000. (Average, $14,000)
"Penny Serenade" (Col.)
"Footlight Fever" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $7,000)
"Road to Zanzibar" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days, 2nd week. Stage: Phil Harris. Gross: $20,000. (Average, $18,000)
"The Great Lie" (W. B.)
"The Case of the Black Parrot" (W. B.)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $13,200. (Average, $14,000)
"The Great Lie" (W. B.)
"The Case of the Black Parrot" (W. B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $13,600. (Average, $12,000)

'Zanzibar' $17,000 Baltimore Leader

BALTIMORE, May 5.—Business was slow here. "Road to Zanzibar" led with $17,000 at the Stanley. "Penny Serenade" with a stage show drew $15,500 at the Hippodrome.

Estimated receipts for the week ending May 1:

"That Uncertain Feeling" (U. A.)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $8,000. (Average, $10,000)
"Flame of New Orleans" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $9,000. (Average, $9,000)
"That Night in Rio" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)
"Penny Serenade" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring "The Three Smoothies;" Cookie Bowers; Six Danc-o-maniacs and the Hudson Wonders. Gross: $15,500. (Average, $14,000)
"Road to Zanzibar" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $17,000. (Average, $14,000)

'Zanzibar' Omaha Gross Is $8,700

OMAHA, May 5.—First run business enjoyed an upswing, aided by warm weather. "Road to Zanzibar" was good for $8,700 at the Omaha.

Estimated receipts for the week ending April 30-May 1:

"Penny Serenade" (Col.)
"Strange Alibi" (W. B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,100. (Average, $4,000)
"Road to Zanzibar" (Para.)
"Father's Son" (W. B.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $8,700. (Average, $6,000)
"Pot of Gold" (U. A.)
"Wild Man of Borneo" (M-G-M)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $7,800. (Average, $7,200)

Theatre Changes

Sullivan Leaves Theatre Post

HUNTINGTON, PA., May 5.—George W. Sullivan, manager of the Clifton Theatre here, owned by Maurice Baum, has resigned and will live permanently in Texas. No successor has been named yet.

To Operate for Summer

WALNUT BEACH, CONN., May 5.—Albert Smith, operator of the Colonial here, will also operate the Tower this Summer and is installing new sound equipment.

Builds Parking Space

BRIDGEPORT, CONN., May 5.—Samuel Hadelman, operator of the Colonial, has purchased a plot of ground for free parking for patrons of the Colonial.

Rebuild Providence House

PROVIDENCE, May 5.—Rebuilding operations have started at the Castle, local neighborhood house operated by Albert Gould. Plans call for construction of a balcony to seat several hundred, enlargement of the lobby and projection booth, new marquee, and reseating and refurnishing of the entire house.

Indiana Theatre Reopens

INDIANAPOLIS, May 5.—The Tacoma, completely remodeled following extensive fire damage several weeks ago, has reopened. Alf J. Ackerman is manager.

To Build New Marquee

MONTROSE, PA., May 5.—Clifford, Flynn and Co., owners of the Ideal Theatre here, have received permission to erect a new marquee.

Quits Indianapolis House

INDIANAPOLIS, May 5.—Claude Allison, Strand manager, has resigned to become manager of the Sheridan of the Cantor circuit. He had been with the Strand since 1931. James Kennedy succeeds him as manager there.

Open Ohio Theatre

CINCINNATI, May 5.—The 650-seat Shard, in nearby Lockland, O., built by interests representing the estate of the late Elmer Shard, exhibitor, who died recently, has been opened, The same interests, with which Ralph Kinsler, former Warner manager is associated as general manager, operate the suburban Emery and Monte Vista.

'Serenade' Scores $8,800, New Haven

NEW HAVEN, May 5.—"Penny Serenade," dualed with "Lone Wolf Takes a Chance," led the downtown business, taking $8,800. Second week of "Men of Boys Town" and "Ellery Queen's Penthouse Mystery" took $3,100 at the College.

Estimated receipts for the week ending May 1:

"Men of Boys Town" (M-G-M)
"Ellery Queen's Penthouse Mystery" (Col.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $3,100. (Average, $2,900)
"Penny Serenade" (Col.)
"Lone Wolf Takes a Chance" (Col.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,800. (Average, $8,000)
"The Flame of New Orleans" (Univ.)
"Lone Wolf Takes a Chance" (Col.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $3,500. (Average, $4,500)
"The Devil and Miss Jones" (RKO)
"Flight from Destiny" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $4,300. (Average, $5,000)

U. A. Sued on Song

Suit for $5,000 damages for alleged unauthorized use of a song has been filed against United Artists in N. Y. Supreme Court by Serge Adelheim as assignee of A. Beresovsky, Russian composer. The song, "Be Still, My Love, Be Still," was allegedly played in the film, "We Live Again."

PRC Delivers 24

Producers Releasing Corp. has delivered 24 of its scheduled program of 38 pictures for the current season. The program will be completed by Sept. 1, the company states. Films set for May release are: "The Lone Rider in Ghost Town," "Paper Bullets" and "The Texas Marshal."

Sue Over 'John Doe'

Robert Shurr and Pat A. Leonard have filed a damage suit in Federal Court against Warners, Jacob Wilk, Richard Connell, Robert Presnell and Robert Riskin, charging infringement of their play, "The Stuffed Shirt," by the film "Meet John Doe."

Aid Paralysis Drive

PHILADELPHIA, May 5. — Chief Barker Dr. Leon Levy, Frank L. McNamee, Charles Goldfine, Isaac D. Levy and Jay Emanuel of the local Variety Club, have been named to the executive committee of the Philadelphia chapter of the National Foundation for Infantile Paralysis.

Scrambled Time

Steubenville, O., May 5

LOCAL residents are "at sea" as to what time to use in their activities. The majority of the merchants and industries have adopted daylight saving time, but the residential sectors, theatres, schools and small business places refuse to go along, and continue to use Eastern standard time.

It is expected that city legislation will be necessary to unscramble the situation.

'Wolf,' Armstrong $11,300, Milwaukee

MILWAUKEE, May 5.—Louis Armstrong and his band and the film, "The Lone Wolf Takes a Chance" connected for $11,300 at the Riverside.

Estimated receipts for the week ending April 29-May 1:

"The Flame of New Orleans" (Univ.)
"That Uncertain Feeling" (U. A.)
WARNER—(2,400) (30c-40c-55c) 5 days. Gross: $4,000. (Average, $4,500)
"The Lady Eve" (Para.)
"The Round Up" (Para.)
PALACE—(2,400) (33c-44c-55c) 7 days. Gross: $4,600. (Average, $4,000)
"The Lone Wolf Takes a Chance" (Col.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Louis Armstrong band. Gross: $11,300. (Average, $6,500)
"Road to Zanzibar" (Para.)
"Dead Men Tell" (20th-Fox)
STRAND—(1,400) (33c-44c-55c) 7 days. Gross: $2,000. (Average, $1,500)
"That Night in Rio" (20th-Fox)
"Murder Among Friends" (20th-Fox)
WISCONSIN—(3,200) (33c-44c-55c) 9 days. Gross: $10,000. (Average, $5,500)

ROOKIES ON PARADE
A REPUBLIC PICTURE

BOB CROSBY • RUTH TERRY
GERTRUDE NIESEN • EDDIE FOY, JR.
MARIE WILSON • CLIFF NAZARRO
JOSEPH SANTLEY—Director • Screenplay by Karl Brown, Jack Townley and Milt Gross • Original story by Sammy Cahn and Saul Chaplin

Radio Awards Given at Ohio Institute Meet

COLUMBUS, O., May 5.—Awards for the fifth American Exhibition of Recordings of Educational Radio Programs featured today's session of the 12th Institute for Education By Radio at Ohio University. The awards follow:

Network Citations

For networks, national organizations and clear channel stations: "Human Nature in Action," NBC, honorable mention; "Mark Twain, American Pilgrimage," NBC, honorable mention; "Labor Arbitration," WMCA; "London After Dark, European News," CBS, first award; "Should We Adopt the President's Lend-Lease Bill?", America's Town Meeting of the Air, NBC, first award; "Where Are Those 50,000 Planes?", University of Chicago, Round Table, NBC, honorable mention; "The Mole on Lincoln's Cheek," Free Company, CBS, first award; "Royal March, Tonight's Best Story," WHN, honorable mention; "Precious Freedom," Everyman's Theatre, NBC, honorable mention.

Also, "The Fisherman and His Wife," Let's Pretend, CBS, first award; "March of Games," CBS, honorable mention; "Monument of the Might of Water," New Horizons, CBS, honorable mention; "Poor Farmer Songs," Folk Music of America, CBS, first award, and "One Nation Indivisible," NBC, first award.

Local and Regional Awards

For local and regional stations and organizations: "Radio in Defense, We Defend America," Colorado University, honorable mention; Calypso in America, WNYC, honorable mention; Northwestern University A Capella choir, honorable mention; "Montana Boys Association Round Table," KFBB, honorable mention; "This Is Our War," Colorado University, honorable mention; "The Stephens Family Plans Thanksgiving," WHA, first award; "Dickens' Christmas Carol," KBPS, and Portland Public Schools, honorable mention; "The Greedy Goat, Story Book Time," Minnesota University, first award; "Through the Looking Glass," WNYC; "Wilbur the Sleepy Little Ghost," WHA; "Hansel and Gretel," Rochester School of the Air, first award; "News of the Week, School of the Air," KOAC, honorable mention; "A Band Clinic," Minnesota University, first award, and "The Mystic Mood, Good Reading," WHA, honorable mention.

Mutual Asks to Quiz Royal on Fight Pact

Application to examine John F. Royal, vice-president of NBC, was filed yesterday in the N. Y. Supreme Court by Mutual Broadcasting System in reference to NBC's suit against Mutual, 20th Century Sporting Club, Inc., and Gillette Safety Razor Co., Inc. NBC is seeking an injunction to restrain Mutual from broadcasting boxing bouts at Madison Square Garden on the claim that the plaintiff obtained a prior contract.

Off the Antenna

TONY SANFORD, who produced the "Melody Ranch" show which features Gene Autry on CBS, has resigned from J. Walter Thompson. The show will originate from the coast instead of New York. Wrigley is the sponsor.

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Purely Personal: *J. Hamilton Combs, WHN commentator, fractured his ankle yesterday and was compelled to cancel his appearance yesterday. Lines will be installed to his home for his program tonight. . . . John S. DeRussy of the NBC sales staff has been named sales manager of KDKA, Pittsburgh. . . . Clem McCarthy is the new turf expert for NBC, but will continue with WHN. . . . John T. Howard will be intermission commentator for the summer series of Howard Barlow concerts over CBS. . . . Leigh White, CBS war correspondent, is in a Greek hospital, injured by machine gun bullets, network headquarters here have learned. He had been missing for two weeks.*

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Incorporation papers have been filed in Albany for WMCA, Inc. At present Knickerbocker Broadcasting Co. operates the station. The capital setup is $368,075, divided into 20,000 shares of common stock at $1 and 26,775 preferred shares at $13. Directors named were H. C. Cushing, E. E. Anderson and E. J. Nobel.

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Program News: "Reg'lar Fellers," adapted from the comic strip of the same name, will be the Summer replacement for the Jack Benny show over NBC-Red. It will start Sunday, June 8. . . . General Foods Corp. yesterday added seven stations to the CBS hookup for a total of 51 for "Kate Hopkins." . . . WHN will start a series for golf fans, "Hook and Slice," tomorrow at 9:30 P. M. . . . Edgar Bergen and Charlie McCarthy start their fifth year for Chase & Sanborn Sunday. . . . "People's Playhouse" will become a half-hour feature over WOR beginning next Tuesday.

FCC Monopoly Report Seen Affecting Television Start

NBC, CBS Continue Ascap Discussions

Ascap's radio negotiating committee met again yesterday with representatives of both NBC and CBS for a continuation of discussions of the proposed new Ascap network licensing formula.

No significant progress in the negotiations was indicated as a result of the meetings and there now appears to be virtually no prospect of decisive action by either of the networks before the annual convention of the National Association of Broadcasters at St. Louis next week.

Balloting by Mutual member stations on the Ascap agreement proceeded slowly yesterday and no decisive response is believed likely for another day or two.

The Committee of Music Educator-Composers, representing approximately 10,000 music educators and patrons in every state, yesterday urged the Mutual stations to ratify the Ascap contract immediately as a "contribution to national unity and defense."

Phila. Police Take FM

PHILADELPHIA, May 5.—The police department shortly will install FM receiving and sending sets in 15 police cars. The present AM radio system is unsatisfactory because of static, "dead spots" and difficulty with reception while the car is passing under bridges or through streets with overhanging trees.

SPG Exhibit Annual

The New York Screen Publicists Guild has decided to make an annual event of the art exhibit recently concluded at the Barbizon Plaza Gallery.

(Continued from page 1)

atre television to be transmitted over wires, rather than home television, in an effort to develop the new art without submission to FCC regulation. Although the FCC would have supervision over interstate telephone lines, it was said, an intrastate hookup would be free from federal regulation and it is believed that even interstate telephone hookups would not be subject to the same type of regulation as transmission through air channels.

At CBS it was said that the visual signal transmitter would be ready about the first of June and the aural transmitter about a month later. Efforts will be made to meet the July 1 date for programs set by the FCC, if it is decided to go ahead, an official said. Since the order requires at least 15 hours of transmission in black-and-white, CBS will meet this requirement, it was added, although the network's previous efforts have been directed mainly toward color television.

Crosley Station Ready to Start

CINCINNATI, May 5.—The Crosley Corp., operating WLW, WSAI and international short wave station WLWO, is prepared to inaugurate television at any time, declared James D. Shouse, vice-president in charge of broadcasting, in comment on the FCC order on commercialization of television, beginning July 1.

New Short Wave Series

Four variety periods over NBC short wave will start tomorrow under sponsorship of American Home Products Co. The program will be heard 7:15-7:30 P. M. in Spanish on Mondays and Thursdays and at 8:15-8:30 P. M. in Portuguese on Wednesdays and Saturdays.

Justice Dep't Gets Monopoly Data from FCC

(Continued from page 1)

lations which, it was predicted, would result in "chaos" rather than "free radio."

The problems of the artists' bureaus, into which the majority did not go, should be referred to the Federal Trade Commission or the Department of Justice if the networks fail to divest themselves of those activities, the dissenters said.

When asked about his reaction to the industry response to the report, Fly said that he had none and that he left it to the industry "to do the name calling and engage in the dialectics."

NBC, CBS to Fight; NAB May Split on Issue

Two eventualities appeared almost certain in industry circles in New York last night. The first was that NBC and CBS would stage a last ditch legal fight to prevent enforcement of the new regulations. The second was that the National Association of Broadcasters convention in St. Louis next week would be split wide open by opposing factions headed on one side by NBC and CBS and on the other by Mutual, which is supporting the stand taken by the FCC. The last named network has already served notice on Neville Miller, NAB president that it "resented" his statement issued over the weekend and that the subject was a "controversial one affecting competitive conditions between the older networks and Mutual."

Sarnoff Statement Expected

It is regarded as likely that David Sarnoff, RCA president, will make some statement this morning at the annual stockholders' meeting of his company and that further word may be forthcoming tomorrow when the NAB executive committee holds a special meeting to consider the problem. However, the prevailing view was that the ultimate decision as to an industry-wide stand will not be determined until next week's convention and that any one-sided stand taken by the meeting may split the membership.

Officials yesterday contented themselves with statements previously issued and were behind locked doors most of the day.

Nets Deny Banning Fuehrer from Air

A Washington story carried prominently in today's *Daily News*, at least in the early editions, to the effect that NBC, CBS and Mutual had banned Hitler's speeches in recent months brought from NBC the comment that the story was a "pipe dream" and from CBS a formal statement to the effect that the network broadcasts the weekly "Church of the Air" program at the time Hitler spoke Sunday. All said that summaries of the speech in English were broadcast.

IT TAKES ONLY A SECOND TO SEE THE *difference*

● The new "One Kilowatt" High Intensity arcs really pour daylight on the screen. Projection is vastly improved because of the much higher intrinsic brilliancy of these arcs — *100 to 120% higher than Low Intensity.* A comparison will convince you.

Every small theatre needs and can afford this modern high intensity projection light. Ask your dealer for a demonstration.

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1881 LEADERS THEN
1941 LEADERS NOW

1941 marks our sixtieth anniversary of continuous service in the arc lighting field. We have grown with the industry and will continue to apply the knowledge gained over the years to the best interests of the users of our products.

•

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL," "SUPREX" AND "OROTIP" CARBONS

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Curfew Rings Again

Hammonton, N. J., May 5

AFTER a four-year respite, curfew will ring again in this South Jersey community near Atlantic City. Effective tonight, the old fire bell will toll the curfew at 9.30 P.M. when all boys and girls must be home, or in company of an adult. Severe penalties are provided under the newly-enacted ordinance.

Girls Supplanting Phila. Men Ushers

PHILADELPHIA, May 5.—A strong possibility exists that women will supplant men as film theatre ushers here, both at the circuit and independent houses. Suitable replacements for those drafted or finding more lucrative employment in national defense industries has become a serious problem at many houses in the city.

Moreover, the Warner circuit faces labor difficulties with Local B-100, ushers union. The contract with the union expired Jan. 1, last. Efforts to draw up a new contract have been futile, with the result that the union is seeking permission from the parent body to call a strike against the circuit. Embracing assistant-managers, doormen, cashiers and cleaners as well as ushers, the union seeks a wage scale comparable to that at the New York houses, representing increases of from 15 to 40 per cent.

Educational 16mm. Sale Is Postponed

Sale of 16mm. non-theatrical rights to 732 short subjects of Educational Films Corp. was postponed yesterday by Referee Peter B. Olney, Jr., after a bid of 50 per cent of gross receipts of the shorts with a $10,000 minimum guarantee had been made.

The postponement was directed to permit trustees of both Educational and Grand National Pictures to determine whether the bid should be accepted, since it was considerably under the appraised valuation. The bid was made by Irving B. J. Levine, an attorney, who refused to disclose his principal.

Competition Is on Increase in Frisco

SAN FRANCISCO, May 5.—With baseball and Spring college sports in full swing, local theatres are meeting stricter competition than in many months. One ray of light, however, is seen in the start of construction of a vast, 1,800-car underground garage, to be built under Union Square in the center of the downtown area. The city's cramped parking facilities in the downtown theatre district will be greatly decreased, and better business is expected to result.

Pa. Bill Legalizes Bowling on Sunday

PITTSBURGH, May 5.—More competition for theatres may result from a bill introduced into the Pennsylvania legislature by Representatives John J. Baker and Thomas J. Heatherington of this district. Seeking legal authority for Sunday bowling, the bill faces the Senate soon for vote, after passage in the House.

Seven New Properties Bought for New Season

Hollywood, May 5

SEVEN stories were purchased by various studios during the week, in preparation for the new season's schedules. Producers Releasing purchased two: "Girl's Town," by REX HALE, and "The Warden's Daughter," by MARTIN MOONEY. Paramount acquired "Channel Port," spy story by LEONARD LEE, and "The Silver Queen," by Forrest Halsey and William Allen Johnston.

ROGER WILLIAMS' original "Strange Bedfellows," was bought by Republic. SAM KATZMAN acquired the musical revue "Sis, Boom, Bah!" and will present it as a stage attraction in various cities before filming it. Warners obtained film rights to "A Night Before Christmas," LAURA and S. J. PERELMAN play, as a vehicle for EDWARD G. ROBINSON.

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Harry Carey joins Albert Dekker, Susan Hayward and Frances Farmer in Paramount's "Among the Living." . . . After announcing several other vehicles for her, Paramount put Veronica Lake into the feminine lead of "Sullivan's Travels." . . . Columbia's "Betty Co-Ed" is now "Sweetheart of the Campus." . . . David Howard will direct Tim Holt's next RKO western, "Dude Cowboy." . . . Hobart Bosworth, silent screen star, has been given a term contract by Warners.

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LEON AMES, LUANA WALTERS, MALCOLM MCTAGGART, BODIL ANN ROSING head the cast of University Film Productions' "No Greater Sin," which WILLIAM NIGH will direct. . . . RKO has placed EDMOND O'BRIEN, JANE WYATT, PHILIP REED and EDMUND GWENN in "Unexpected Uncle," which TAY GARNETT will produce and direct . . . That studio also gave a straight contract to GINNY SIMMS, KAY KYSER'S feminine vocalist, who will appear in films when available . . . LOUISE BEAVERS goes into "Our Wife," which JOHN M. STAHL is producing and directing at Columbia with MELVYN DOUGLAS, RUTH HUSSEY in the leads . . . EDMUND GOULDING draws the directorial assignment on Warners' ERROL FLYNN vehicle, "The Constant Nymph."

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DOROTHY COMINGORE of "Citizen Kane" will get the feminine lead in "Valley of the Sun," opposite JAMES CRAIG. The picture will be GRAHAM BAKER'S first as a producer for RKO . . . ANN DORAN has the feminine lead opposite ERIC LINDEN in Producers Releasing's "Criminals Within," which JOSEPH LEWIS will direct . . . SUSANNA FOSTER will co-star with JACKIE COOPER and JUNE PREISSER in Paramount's "Glamour Boy," story of young film players.

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Edward Small has started "International Lady," starring George Brent, Ilona Massey and Basil Rathbone, and which formerly was called "G-Man versus Scotland Yard." . . . Small is negotiating with Mary Pickford for the rights to the star's old vehicle "Little Annie Rooney," to be used as material for the one Shirley Temple pictures, he will make for United Artists release.

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BUSTER KEATON has joined the cast of Republic's "Puddin' Head," starring JUDY CANOVA . . . MITCHELL LEISEN has been given a new Paramount contract calling for him to direct two pictures annually for two years . . . Producers WILLIAM H. PINE and WILLIAM C. THOMAS have chosen KATHERINE CRAIG to play opposite RICHARD ARLEN in "Flying Blind," third of their pictures for Paramount release . . . Universal has signed FRANCES LANGFORD and KEN MURRAY to star in "Radio Revels of 1942" . . . ALEXIS SMITH has the only feminine role in Warners' "Dive Bomber."

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MARTHA O'DRISCOLL gets the second feminine lead in CECIL B. DEMILLE'S "Reap the Wild Wind" . . . HARRY SHERMAN has signed RICHARD DIX for "Tombstone" and "The American Empire," to be made as specials . . . MELVYN DOUGLAS will play opposite GRETA GARBO in her new picture, as yet untitled. BRIAN AHERNE will play opposite JEANETTE MACDONALD in "Smilin' Through."

Korson Lunch May 26

PHILADELPHIA, May 5.—The testimonial luncheon to be tendered Louis Korson by the Philadelphia Variety Club will be held May 26 at the Ritz-Carlton Hotel. Korson leaves the following day for California.

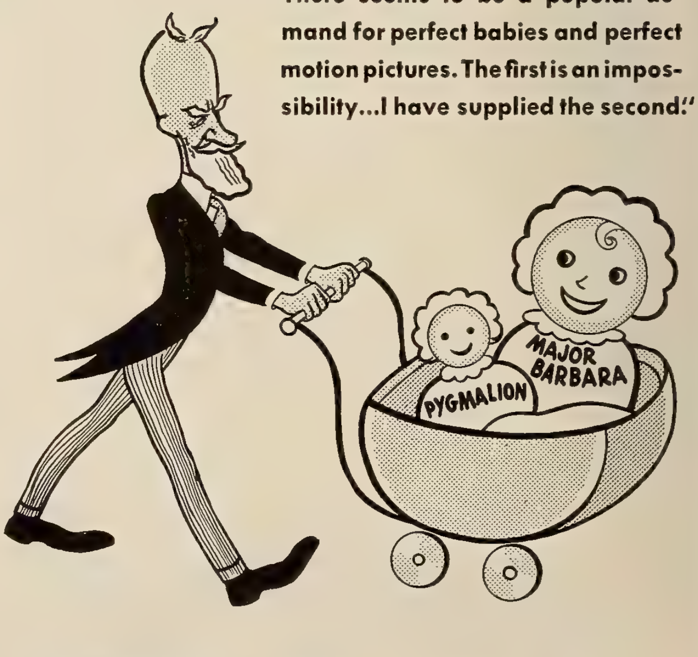
Radio Only Mexican May Day Amusement

Mexico City, May 5.—Radio was the only entertainment permitted by labor unions on May 1, Mexico's Labor Day. Efforts of exhibitors to persuade the unions to permit evening performances failed, as a full holiday for all workers was insisted upon. The day's business loss to theatres was estimated at ab[illegible] $50,000.

N.S.S. and Casanave Win Suit Motions

National Screen Service, Herman Robbins and Toby Gruen scored victories in three preliminary motions in the suit against Charles L. Casanave in the New York Supreme Court while Casanave won one motion in White Plains yesterday.

Justice Cohalan ordered Casanave to appear for examination before trial on Thursday and at the same time denied Casanave's motion for an examination of Robbins, Gruen and Elliott Pearlman, N.S.S. assistant treasurer. The court, however, stated that it would permit Casanave to renew his motion at a later date. A motion by Casanave for a bill of particulars for 190 items was consented to for 154 items and the court sustained all objections to the remaining 36. In White Plains, where Casanave's counter suit is pending, Justice Patterson denied a defense motion to dismiss the complaint.



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GABRIEL PASCAL, producer of "Pygmalion", presents a magnificent picturization of George Bernard Shaw's famous play **"MAJOR BARBARA"** starring WENDY HILLER; co-starring Rex Harrison and Robert Morley • Released thru United Artists.

Watch those reviews..watch those grosses..as it opens at the FOUR STAR, LOS ANGELES and the ASTOR, NEW YORK CITY!

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 89 NEW YORK, U. S. A., WEDNESDAY, MAY 7, 1941 TEN CENTS

Average Cost Of Arbitration Put at $39.04

Exhibitor Cost Based on 7 Cases Decided

Average cost to the complaining exhibitor of bringing an arbitration proceeding has been $39.04, on the basis of the first seven cases on which awards were made by arbitrators following completed hearings, according to a report prepared for the *Arbitration Journal* by Paul Felix Warburg, chairman of the administrative committee of the American Arbitration Association.

The report warns, however, that a cost average based on only seven cases may have to be altered in the future, and asserts that it would be "unwise" to accept the figure as a fixed average for arbitration in the industry.

The figures from which the average was derived include the exhibi-

(*Continued on page* 4)

Rep. Getting '41-'42 Program Under Way

Hollywood, May 6.—Herbert J. Yates said here today the Republic studio will push production during June and July with the aim of building a backlog of 10 to 12 pictures with which to start the selling season on Aug. 1.

Here for quarterly production conferences, Yates said the present season's program would be completed by July 1, according to present plans.

Pictures to start the new season were assigned to producers today. Al-

(*Continued on page* 4)

W. B. Zone Managers Will Handle Buying

In line with Warner Theatres' decentralization of film buying to meet the new selling conditions, the circuit's zone managers will supervise film buying in the field under the guidance of the home office. This is in addition to the assignment of Ed Hinchy to Philadelphia and Nat Fellman to Cleveland as zone film buyers and bookers.

Breen Studio Deal Is Authorized by Directors of RKO

The RKO board of directors has unanimously approved the appointment of Joseph I. Breen as administrative head of the studio, subject to contract terms which remain to be negotiated, it was learned yesterday. It is reported he will join the studio about the middle of the month if the negotiations are completed. The proposed salary terms have been agreed upon.

Joseph Breen

The board's action was taken at the meeting held last Thursday, and authorized the offering of a contract to Breen on terms to be negotiated by George J. Schaefer, RKO president. Schaefer left for

(*Continued on page* 4)

'Kane' Will Open in Washington May 16

"Citizen Kane" will open at the Keith Theatre, Washington, D. C., May 16, on a three-a-day policy at advanced admissions. A Boston opening is scheduled for the picture about May 19 or 20, depending on arrangements now being made.

SARNOFF SEES NO TELEVISION IN '41

FCC Monopoly Report, Defense Work Held Responsible

"I doubt whether there will be any commercial television this year," David Sarnoff, RCA president, yesterday told about 300 stockholders at the company's annual meeting in Radio City. Sarnoff stated that his company had lost none of its enthusiasm for the new medium but that the FCC monopoly report and national defense had altered the situation from that existing last year.

David Sarnoff

"We won't seek any monopoly in television," he asserted. Television, Sarnoff explained, requires a number of stations and a number of receiver manufacturers before it could be started properly. He added that

(*Continued on page* 4)

On Friday RCA will hold its large screen theatre television demonstration at the New Yorker Theatre. . . (RCA reports quarterly profit of $2,734,572. See Page 6.)

Report A.T.P. Is to Become U A Producer

London, May 6.—Associated Talking Pictures, Ltd., is expected to join the producer ranks of United Artists, as the result of a distribution deal on which negotiations are understood to be nearly completed.

George Archibald, managing director in Great Britain for United Artists, has left here en route to the United Artists' home office in New York. It is expected that he will travel by clipper from Lisbon, and it is believed the purpose of his trip is to discuss the deal with Maurice Silverstone, head of world wide operations, and other home office officials of United Artists.

Before his departure, Archibald is understood to have completed details on the distribution deal, which is expected here to be formally concluded this week.

Associated Talking Pictures produces at the Ealing Studios. Chairman of the board is Stephen L. Cour-

(*Continued on page* 4)

Freeman Answers Critics Of Films' Defense Effort

Los Angeles, May 6.—Y. Frank Freeman, president of the Association of Motion Picture Producers, in an address at a Los Angeles Advertising Club luncheon today answered critics of the industry's cooperation in the national defense effort.

The industry, said Freeman, is solidly behind national defense without "trying to make profits but trying to do just as all true Americans are doing." He was the principal speaker at the luncheon, held in the Biltmore Bowl.

"There are those who have criticized the defense efforts of the motion picture industry," Freeman said. "They know we are a front-page industry. They have and will continue to call us warmongers and every name they can think of. But we will stand on our record. We are doing to the best of our ability what our

(*Continued on page* 4)

Coast Reviewers Win Preview Fight

Hollywood, May 6.—Resident film correspondents and local reviewers have won their fight to compel the studios to hold press previews of new films here before they are held anywhere else. Y. Frank Freeman, A. M. P. P. president, formally requested all studios to do this in a letter which he sent them April 28. Freeman asked that publicity directors be notified of unexpected releases to enable them to hold early press previews.

RKO Circuit Men To Fill Vacancies

Successors to John J. O'Connor as RKO Theatres general manager and Fred Meyers as film buying and booking chief will be made from present personnel, and it is not the intention of the RKO management to seek to fill these vacancies from the outside, it was reported in trade circles last night. For the time being, it is reported, no changes will be made beyond those which already have been effected by the resignations of O'Connor and Meyers.

Coast Flashes

Hollywood, May 6

FORMAL complaint charging Walt Disney Productions with fostering a company union was filed here today by the regional N.L.R.B. office. May 19 has been set for a hearing. This new step in the bargaining agency fight of Disney employes alleged the company "encouraged, interefered with and dominated" the Federation of Screen Cartoonists, once designated as the collective bargaining agency for Disney workers. Screen Cartoonists Local 852, AFL, formerly the Screen Cartoonists Guild, brought the matter to the board's attention.

•

Intervening petitions in the Los Angeles area's first arbitration complaints under the New York case consent decree were filed today. E. D. Whitson, operating the Vista and Hunelys, intervened in the clearance case of George Bromley and Alexunder Mounce. Whitson alleged that, if the petitioners' demands were granted, damage to his theatres would result. James Edwards, Jr., operating the Edwards Circuit, made a similar plea in the case of the Mission Playhouse, filed by O. W. Lewis.

Ball Games Scheduled

Games scheduled in the Motion Picture Baseball League include: Paramount vs. Skouras, Friday; M-G-M vs. Universal, Saturday, and NBC vs. International Projector, next Monday. Paramount defeated Loew's last week by a score of 9 to 0.

Personal Mention

SPYROS SKOURAS will address the "freedom" rally at Madison Square Garden tonight.

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BEN COHEN has sailed for South Africa.

•

W. P. BERNFIELD, formerly of Kansas City, has arrived in New York with Mrs. Bernfield.

•

HENRY NEEDLES, Warner Theatres district manager in Hartford, Conn., is recuperating at a Hartford hospital from a minor operation.

•

GABRIEL PASCAL is scheduled to arrive from the Coast by plane tomorrow.

MAURICE WOLF, New England district manager for M-G-M, is a visitor here.

•

WILLIAM MORTON, publicity director of the RKO Albee, Providence, and MRS. MORTON visited here yesterday.

•

THOMAS ORCHARD, associate producer for March of Time, has been called to active duty in the Naval Reserve, in which he is Lieutenant. He will be in charge of the Navy's cameramen, it is reported.

•

LEON NETTER, Paramount home office theatre executive, has returned from a Southern trip.

May Compromise on British Exemptions

LONDON, May 6.—Following informal conversations between the Minister of Labor, Ernest Bevin, and officials of the Cinematograph Exhibitors' Association, it is believed Bevin will compromise on the industry's request that film technicians be exempt from military service.

A formal industry deputation is expected to visit Whitehall shortly. The committee named by the Ministry of Information to study the personnel needs in production and other phases of the film industry will meet May 14, for a final examination of the employe requirements of the industry and of the various ministries with respect to their film activities.

Trade Represented At Services for Fay

PROVIDENCE, May 6.—Funeral services today for Bernard E. Fay, long an associate of his brothers, Edward M. Fay and the late James T. Fay, in theatre operation here, were attended by a large group of film men here.

Among those present at the solemn high mass of requiem in the Church of the Assumption were: John Nolan and Thomas P. Comerford of the Comerford Circuit; Edward X. Callahan and Matty Simons of the Boston 20th Century-Fox exchange; District Manager William E. Spragg of M. & P. Circuit, and local managers George E. French, Albert J. Clarke, Edward L. Reed, John F. Toohey, Martin R. Toohey, Jack Simons, Sam Kaufman, William Brown and Albert Colagiovanni.

Police amusement inspectors Capt. George W. Cowan and Lieut. William F. McTernan, Herbert F. Slater of the operators' union, Vincent Castronovo and Joseph Spaziano of the musicians' union, and James Tartaglione of the front of the house employes' union also were present.

Raisler Is Elected By Columbian Club

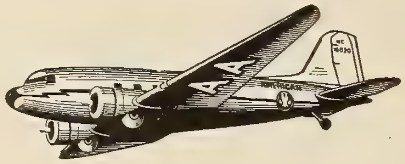
Seth Raisler has been elected president of the Columbian Club, Columbia employes organization, and the following additional officers have been elected for the ensuing year: Nat Goldblatt, first vice-president; Stanford White, second vice-president; Al Borelli, treasurer; Anne Copp, financial secretary; Carol Steiner, recording secretary, and Norma Sulak, assistant recording secretary.

Files in Bankruptcy

Robert Carter, radio announcer for Knickerbocker Broadcasting Co., has filed a voluntary petition in bankruptcy in U. S. District Court. Carter listed liabilities of $6,075 and assets of $12,000, which are not taxable by creditors since they are assigned insurance policies.

Mexican Showman Killed

MEXICO CITY, May 6.—Carlos Sanchez, only exhibitor in San Juan Teotihuacan, near here, was stabbed to death when he attempted to eject a dope addict who was trying to gain admittance to the theatre.



CALIFORNIA

VIA

AMERICAN'S SOUTHERN ALL-YEAR ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Newsreel Parade

ALL newsreels gave full attention to President Roosevelt's Virginia address declaring this country ready to fight again for democracy. Also of general interest was the opening of the revamped Bronx Zoo, and of course, the Kentucky Derby. Contents of the new midweek issues follow:

MOVIETONE NEWS, No. 69—President Roosevelt dedicates Wilson shrine at Staunton, Va., and says U. S. is ready to fight. Army air gunners practice over Galveston, Tex. Bronx Zoo transformed in New York. Southern styles shown in New Orleans. Wendell Willkie visits Vultee plant at Nashville, Tenn. Kentucky Derby.

NEWS OF THE DAY, No. 267—Roosevelt speaks at Wilson shrine in Virginia. French hail U. S. food ship at Marseilles. Santander, Spanish town, destroyed by fire. Mayor LaGuardia accepts Howard Chandler Christy painting for "I Am An American" Day. New York's Bronx Zoo goes native. Running of Kentucky Derby. Youngsters at Willows, Cal., in sheep race.

PARAMOUNT NEWS, No. 72—Board of Visitors inspects Midshipmen at Annapolis. Mayor LaGuardia accepts Christy painting for American Day. Greenwich Village, New York, has outdoor exhibition of Sculptors' Guild. U. S. food ship is welcomed in Marseilles, France. Byrd's men arrive in Boston from Antarctic expedition. Bronx Zoo gets native appearance. Philadelphia zoo's elephant enclosure dedicated. Roosevelt speaks at Wilson shrine. Kentucky Derby.

RKO PATHE NEWS, No. 72—Roosevelt speaks at Wilson memorial in Virginia. Willkie visits new Vultee plant at Nashville. LaGuardia accepts American Day painting by Christy. "Citizen Kane" has premiere in New York. Tower used to train parachutists at Fort Benning, Ga. Byrd ship returns to Boston from Antarctic. Kids at Willows, Cal., hold lamb derby. Running of Kentucky Derby.

UNIVERSAL NEWSREEL, No. 977—Roosevelt speaks at Wilson memorial. Willkie on visit to Vultee plant at Nashville. Gunnery practice for Army fliers over Galveston, Texas. Churchill inspects Czech troops in England. Workers' May Day parade in Mexico City. New York's Bronx Zoo transformed. Philadelphia zoo dedication on May Day. New machine used in beauty treatment in New York. Kentucky Derby.

Grant Casanave's Consolidation Plea

Judge Mortimer B. Patterson in Westchester County Supreme Court at White Plains yesterday granted the motion of Charles Casanave for consolidation of both the New York County action and Casanave's Westchester action against National Screen Service.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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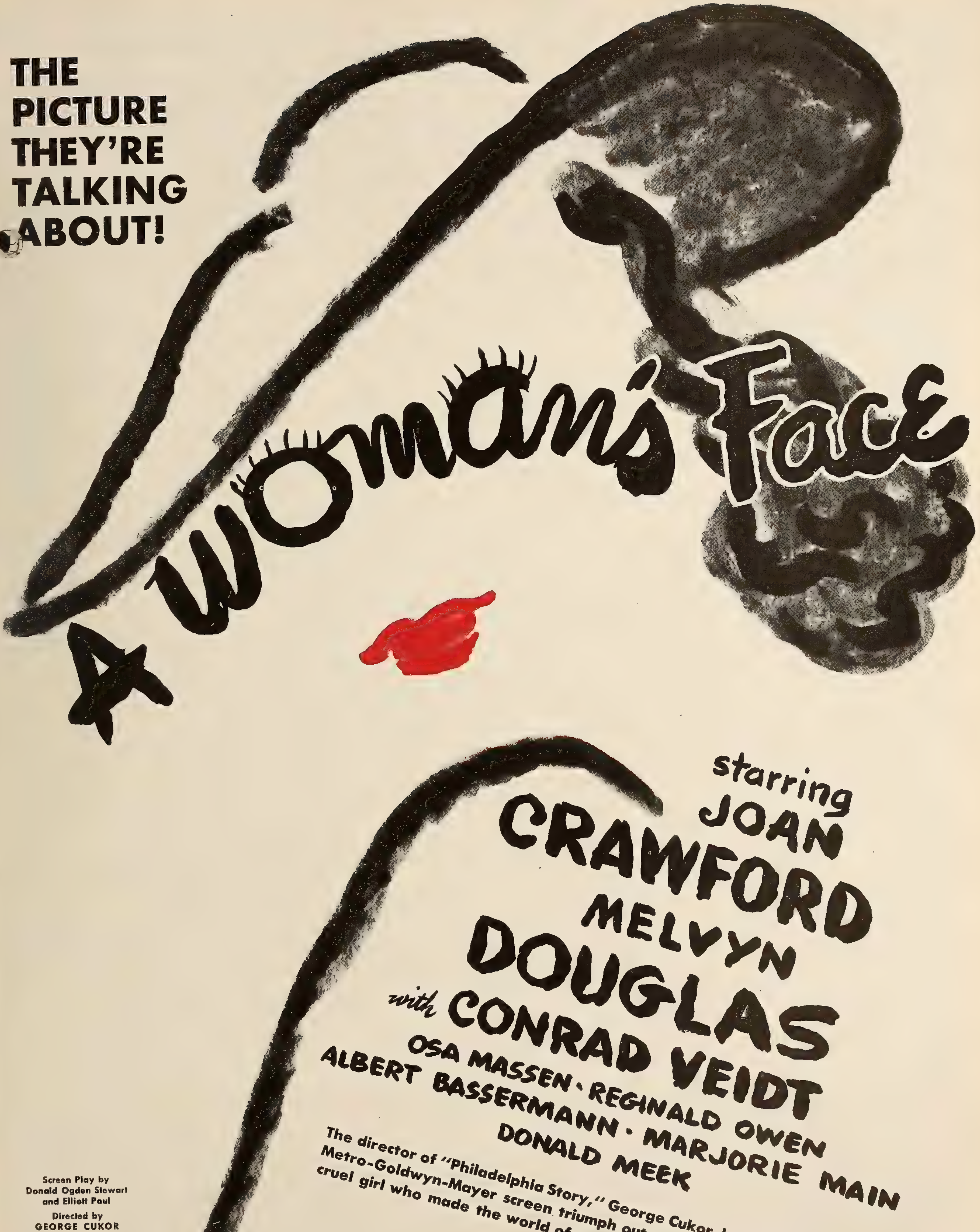
THE PICTURE THEY'RE TALKING ABOUT!


A Woman's Face
starring
JOAN CRAWFORD
MELVYN DOUGLAS
with CONRAD VEIDT
OSA MASSEN · REGINALD OWEN
ALBERT BASSERMANN · MARJORIE MAIN
DONALD MEEK

The director of "Philadelphia Story," George Cukor, has made another Metro-Goldwyn-Mayer screen triumph out of the amazing story of a cruel girl who made the world of men pay for the heart they broke.

Screen Play by
Donald Ogden Stewart
and Elliott Paul
Directed by
GEORGE CUKOR
Produced by
VICTOR SAVILLE
AN M-G-M PICTURE

Sarnoff Sees No Television For This Year

(Continued from page 1)

NBC has a television station in operation here and would be eligible to accept a commercial sponsor after July 1 under the FCC ruling but he doubted if any would be forthcoming because of the limited number of receivers on the market. In this area, he said, there are between two and three thousand sets in use.

Sarnoff declared that "the company is engaged in reviewing the whole subject of television in the light of" the monopoly report. As for the national defense situation, he referred to the fact many engineers normally available for television are being placed on defense work and that there is "a shortage of brains, not metals." Color television, he said, is not yet ready for commercial use. Sarnoff mentioned the electron microscope as one of the immediate practical results of television research, and a film showing its use was screened for the stockholders.

Referring to the monopoly report itself, Sarnoff asserted it "would radically change the entire broadcasting structure of the United States. I have no wish," he continued, "to minimize the serious problems which the new regulations present to the broadcasting industry generally, and to our own broadcasting subsidiary in particular." However, he went on, it is still too early to state what action will be taken. A stockholder who had introduced a resolution condemning the FCC for its action withdrew it at Sarnoff's suggestion.

Sarnoff explained that RCA is manufacturing no FM receivers because of a lack of demand for such sets. He added that negotiations for licenses under the FM patents held by Major Edwin Armstrong have been in progress "for a long time" but that company executives did not feel justified in acceding to Armstrong's price demands at this time.

Other highlights of the meeting were a conference hookup between A. A. Schechter, NBC director of news and special events, and correspondents in London, Berlin, Rome and Vichy, and a statement by Sarnoff that there is no indication at present of the Government taking over broadcasting even in the event of war.

1,000 Expected to Attend MPTOA Convention in Los Angeles June 9

An attendance of approximately 1,000 is expected for the combined MPTOA national convention and the Pacific Coast Conference ITO meeting at the Hotel Ambassador, Los Angeles, June 9-11, according to Ed Kuykendall, MPTOA president, who arrived in New York yesterday to complete convention arrangements.

Kuykendall reiterated his declaration that he is not a candidate for reelection as MPTOA president but declined to comment when asked what his response would be to a convention movement to "draft" him for another term. Kuykendall has headed the national exhibitor organization for seven years. No alternate candidate for the post is in view this year.

The MPTOA head will appoint convention committee here today. Discussing the anticipated convention attendance, he said that the PCCITO already has received 560 reservations.

Report A.T.P. Is to Become U A Producer

(Continued from page 1)

tauld, and R. P. Baker is managing director. Gordon W. G. Rayner is secretary. Michael Balcon is a director.

At the United Artists' home office yesterday an official declared no knowledge of a distribution deal with Associated Talking Pictures, or of the likelihood of ATP becoming a U. A. producer. However, it was admitted that English deals are under consideration.

Recently a deal was completed under which Edward Small, United Artists producer, acquired "Sailors Three," produced at Ealing Studios by Michael Balcon, for distribution here by United Artists. The title has been changed to "Three Cockeyed Sailors."

Breen Studio Deal Authorized by RKO

(Continued from page 1)

the Coast by TWA Stratoliner last night.

Breen's resignation as Production Code Administrator is scheduled to take effect as soon as his successor has been named. The delay in the designation of a successor to Breen has been occasioned by the illness of Will H. Hays, MPPDA president, who has been at St. Luke's Hospital, Chicago.

Hays is scheduled to leave the hospital this weekend and may go to the Coast from Chicago before coming here.

Oliver Marsh Dies

HOLLYWOOD, May 6.—Oliver T. Marsh, 49, veteran camera man, who had received two Academy Awards during his career, died yesterday of a heart attack which he suffered at the M-G-M studio, where he had been employed a number of years. He was a brother of Mae Marsh, screen actress. His widow and three children survive.

Freeman Answers Critics Of Films' Defense Effort

(Continued from page 1)

Government has asked. If our critics object, let them tell us what Government they wish us to follow."

Major Mason Wright of the U. S. Signal Corps expressed the War Department's official appreciation for the industry's assistance in producing training films for the services. The luncheon was attended by Army officers who are here on the industry's training film project and a number of studio representatives.

TO ALL WHOM THIS MAY CONCERN

Notice is hereby given that the undersigned has acquired and through the copyright owner controls the sole and exclusive distribution, exhibition and exploitation rights throughout the world, to those certain two-reel Charlie Chaplin motion picture films, both silent and sound versions previously released through RKO and entitled

THE VAGABOND
THE PAWNSHOP
THE CURE
ONE A.M.
THE FIREMAN
THE ADVENTURER
THE FLOORWALKER
EASY STREET
THE IMMIGRANT
THE RINK
THE COUNT
BEHIND THE SCREEN

The foregoing rights are fully protected under the Copyright Law and the unauthorized exhibition, distribution and exploitation of the said films, either in 35 mm. or 16 mm. without license from the owner are violations of the said law.

Further notice is hereby given that the undersigned and the copyright owner will strictly enforce their rights and that a violation thereof will subject the offender to the penalties provided by law therefor.

GUARANTEED PICTURES CO., INC. M. D. Sikawitt, Pres.

Film Improvement Forecast to SMPE

ROCHESTER, May 6.—Improvement in motion pictures and other types of photographs, as a result of increased knowledge of photographic development through recent research, was forecast by Dr. C. E. K. Mees, of Eastman Kodak Co., before the delegates to the annual Spring convention of the Society of Motion Picture Engineers at the Sagamore Hotel today.

The convention, in its second day, held only brief business and technical sessions today. The afternoon was given over to sightseeing, and this evening the 49th semi-annual convention banquet and dance were held in the Starlight Room of the hotel.

During the morning session, in addition to Dr. Mees' paper, discussions were held on "New Gadgets for the Film Laboratory"; "High Fidelity Head Phones," by L. J. Anderson of RCA, and on visual mechanisms in the viewing of films, by Brian O'Brien, Institute of Applied Optics, University of Rochester.

Average Cost Of Arbitration Put at $39.04

(Continued from page 1)

tor's share of filing and arbitrators' fees and stenographic cost, but do not include attorney's fees. On this basis, the average for the seven cases [illegible] $23.50 for filing fees and arbitra[illegible], and $15.54 for stenographic expense. Additional expense incurred by the complaining exhibitors, not reckoned in the A. A. A. report, are attorneys' fees and traveling and incidental expenses involved in instances in which the exhibitor's place of business is not located in the same city as the arbitration tribunal.

The cases employed for the study include the first and second complaints decided in Chicago, and the first in Philadelphia, Washington, New Orleans, Boston and Denver. Total costs in these individual cases ranged from $27.50 for the Boston action, to $175 for the Washington one, with the length of hearings accounting for the major share of the difference in costs.

Rep. Getting '41-'42 Program Under Way

(Continued from page 1)

bert J. Cohen will handle "Memphis Belle," high budget film; "Pardon My Stripes," "The Devil Pays Off" and "Navy Blue Eyes."

Robert North has been assigned "Hurricane Smith" and "There Goes My Wife"; Armand Schaefer, "The Big Bonanza," starring John Wayne, "Mercy Island," an untitled Weaver Bros. and Elviry film, and an untitled Lulu Belle and Scotty; George Sherman, "Oregon Trail," first Don Barry western.

Also announced was an intensive production schedule for Gene Autry. With the star three pictures behind on this year's program, "Down Mexico Way," scheduled as a special, has been set back and "Under Fiesta Stars" will be made first. The third Autry scheduled is "Old Faithful."

Atlantic-Columbia Action Is Settled

Suit of Atlantic Film Productions, Ltd., against Columbia Pictures for $13,000 damages was settled yesterday in N. Y. Supreme Court. Plaintiff had brought action to recover the amount as allegedly due on distribution proceeds received by Columbia on the film, "Thunder in the City," starring Edward G. Robinson, which Atlantic made in England.

Harrisburg Sunday Film Ban Hits Camp

HARRISBURG, Pa., May 6.—Lack of Sunday films here is creating a problem in the provision for weekend recreation for the soldiers stationed at Indiantown Gap Military Reservation, near here.

There appears little hope of a solution along the lines of Sunday films, since this city voted down Sunday shows shortly before the Army camp opened, and another vote cannot be taken until 1945.

'Blondie' and Heidt $21,500, Philadelphia

PHILADELPHIA, May 6.—"Blondie Goes Latin," with Horace Heidt and his orchestra on the stage at the Earle, brought a strong $21,500 in a week of generally fair grosses. "The Bad Man" drew $7,000 at the Stanton.

Estimated receipts for the week ending April 30-May 3:

"Fantasia" (Disney)
ALDINE—(1,400) (50c-75c-86c-$1.14-$1.71) 7 days, 11th week; 4 days, 12th week. Gross: $15,500. (Average, $9,000)
"So Ends Our Night" (U. A.)
"Men of Boys Town" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 4 days, 2nd run; 7 days, 3rd run. Gross: $4,100. (Average, $2,600)
"The Great Lie" (W. B.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $10,900. (Average, $13,000)
"Blondie Goes Latin" (Col.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Horace Heidt's orchestra with Larry Cotton, Frankie Carle, Fred Lowery, Burton Pierce, Red Ferrington, Ollie O'Toole, Donna and her Don Juans, Ronnie Kemper, Jerry Browne, Mimi Cabanne, Bernie Mattinson, Buddy Saffer, Buzz Adlam and Frank DeVol. Gross: $21,500. (Average, $14,000)
"Scotland Yard" (20th-Fox)
FAY'S—(2,190) (15c-29c-35c-46c-57) 7 days. Vaudeville including Ermain Parker, Dagmar, Jack Holtz and Milady; Jed Dooley & Audrey Evans, and DeMay, Moore & Martin. Gross: $6,400. (Average, $6,900)
"Road to Zanzibar" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 3rd week. Gross: $11,500. (Average, $13,000)
"Rage in Heaven" (M-G-M)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days. Gross: $3,800. (Average, $3,000)
"That Night in Rio" (20th-Fox)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,000. (Average, $4,500)
"Ziegfeld Girl" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $13,500. (Average, $14,000)
"The Bad Man" (M-G-M)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $7,000. (Average, $4,500)

50 Spots Shift Time In Pittsburgh Area

PITTSBURGH, May 6.—More than 50 communities in this district are observing daylight saving time this year, an increase of seven per cent over last year.

Daylight time is legalized in Aliquippa, Altoona, Ambridge, Arnold, Beaver, Beaver Falls, Braddock, Butler, Clairton, Connellsville, Corry, Duquesne, Erie, Ford City, Franklin, Homestead, Kittanning, McKeesport, New Brighton, New Kensington, Oil City, Sewickley. State College, Tarentum, Titusville, Tyrone, Warren, Washington, and Wilkinsburg, as well as Pittsburgh, and many boroughs.

Louisville Time Change Upheld by State Court

FRANKFORT, Ky., May 6.—The Kentucky Court of Appeals unanimously declared void a 1936 law prohibiting Louisville from adopting daylight saving time with the Governor's consent, and upheld the city's adoption of Summer time. Theatre interests had sought to upset the Louisville action in adopting daylight time.

Other spots in the area to adopt daylight time are this city, Charlestown, Ind., and the Army post at Fort Knox. Elizabethtown, near Fort Knox, also is expected to make the time change.

Mexico Now Has 104 Stations Operating

Mexico City, May 6.—Mexico now has 104 radio stations in daily service, of which 26 are functioning in this city. Eleven years ago, when radio became a modern business in this country, there were only 12 stations.

XEW here, the largest and most important station in Mexico, reports a 20 per cent increase in commercial accounts over 1940.

'Dugan', King Band Big in Minneapolis

MINNEAPOLIS, May 6. — "Trial of Mary Dugan," and Wayne King on the stage at the Orpheum, did $16,000.

Estimated receipts for the week ending May 2:

"Trial of Mary Dugan" (M-G-M)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. Stage show including Wayne King and his band, Betty and Tommy Wonder. Gross: $16,000. (Average, $5,500)
"The Great Lie" (W. B.)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $6,500. Average, $6,000)
"Life With Henry Aldrich" (Para.)
GOPHER—(998) (28c) 7 days. Gross: $3,000. (Average, $2,500)
"Buck Privates" (Univ.)
ASTER—(900) (28c) 7 days, 7th week. Gross: $2,000. (Average, $1,800)
"Road to Zanzibar" (Para.)
CENTURY—(1,600) (28-44c) 7 days, 3rd week. Gross: $5,000. (Average, $4,000)
"Fantasia" (Disney)
MINNESOTA—(1,850) (50c-75c-$1-$1.50) 7 days, 3rd week. Gross, $6,000.
"That Night in Rio" (20th-Fox)
WORLD—(350) (28c-39c-44c-55c) 6 days, 2nd week. Gross: $1,200. (Average, $1,600)

'Lie' Indianapolis Leader at $9,000

INDIANAPOLIS, May 6.—"The Great Lie," double-billed with "The Man Who Lost Himself," pulled $9,000 at the Indiana. "Sis Hopkins" on the screen and Ray Herbeck's orchestra on the stage brought the Lyric $9,400.

Estimated receipts for the week ending May 2:

"Adam Had Four Sons" (Col.)
"Blondie Goes Latin" (Col.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $5,600. (Average, $6,000)
"The Great Lie" (W. B.)
"The Man Who Lost Himself" (Univ.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $9,000. (Average, $6,000)
"Cheers for Miss Bishop" (U. A.)
"The Bad Man" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $5,800. (Average, $7,000)
"Sis Hopkins" (Rep.)
LYRIC—(2,000) (30c-40c-50c) 7 days. Stage: Ray Herbeck's orchestra. Gross: $9,400. (Average, $8,000)

Officers Elected by Ottawa Film Society

OTTAWA, May 6.—Harry O. Mccurry has been elected president of the Ottawa branch of the National Film Society at the annual meeting of the organization. He succeeds Dr. McGregor Easson. Also elected were: honorary secretary, Mrs. Radford Crawley; honorary treasurer, Radford Crawley; committee, Col. W. A. Steel, E. W. Harrold, James Beveridge, and O. C. Wilson.

Columbia Assigns Three

HOLLYWOOD, May 6.—Columbia has assigned Claire Trevor to the feminine lead in "Texas," and Evelyn Keyes and Elsa Lanchester to "Ladies in Retirement."

'Ziegfeld' Snares $19,000 in Capital

WASHINGTON, May 6.—"Ziegfeld Girl" at Loew's Palace drew $19,000 in a week of strong grosses. "Penny Serenade" and a Joe Cook stage show also brought $19,000 to Warners' Earle.

Estimated receipts for the week ending April 30-May 1:

"That Night in Rio" (20th-Fox)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Lew Parker & Sid Gold, Alphonse Berg & Co., Peggy Bernier, 4 Co-eds, Rhythm Rockets. Gross: $17,000. (Average, $15,500)
"Penny Serenade" (Col.)
WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Joe Cook and his 1941 Daffy-Dils. Gross: $19,000. (Average, $15,000)
"Ziegfeld Girl" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $19,000. (Average, $15,000)
"The Devil and Miss Jones" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 7 days, 3rd week. Gross: $8,500. (Average, $6,000)
"Man Made Monster" (Univ.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days. Gross: $3,500. (Average, $4,500)
"Men of Boys Town" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $4,500. (Average, $4,000)

'Hamilton Woman' $12,500, Toronto

TORONTO, May 6.—"That Hamilton Woman" was a hit at the Uptown, taking $12,500. "The Great Dictator" drew $11,500 in its second week at Loew's, and "The Devil and Miss Jones" accounted for $10,500 at the Imperial. Cool weather helped.

Estimated receipts for the week ending May 3:

"The Devil and Miss Jones" (RKO)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $10,500. (Average, $9,000)
"The Great Dictator" (U. A.)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days, 2nd week. Gross: $11,500. (Average, $9,000)
"Buck Privates" (Univ.)
"Blondie Goes Latin" (Col.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days, 4th week. Gross: $8,000. (Average, $7,500)
"Back Street" (Univ.)
"A Girl, a Guy and a Gob" (RKO)
TIVOLI—(1,434) (10c-25c-40c) 6 days. Gross: $4,000. (Average, $3,900)
"That Hamilton Woman" (U. A.)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $12,500. (Average, $9,000)

Court Halts Pickets At Scranton House

SCRANTON, Pa., May 6.—Local 329 here has been restrained from "picketing, violence, disorder or interference" with the business of R. A. Lesaius, owner of the Bulls Head Theatre here, until Oct. 1, according to an opinion by President Judge Will Leach of the Lackawanna Court upon petition of Lesaius. The date is when a contract between Lesaius and CIO Local 997, United Theatrical Alliance will terminate.

The ruling provides a climax to the long standing dispute between Lesaius and Local 329 with the judge citing the fact that it was "clearly a case" of a dispute between rival operators' unions and found that the State Department of Labor and Industry certified that there was no labor dispute between the employer and employes.

Club Party May 24

ALBANY, May 6. — The Warner Clubs of the Capital District will unite to hold their annual Spring dance and ball at the Ten Eyck Hotel here May 24. General chairman is Leo Rosen, manager of Warners' Troy Theatre, Troy.

ANOTHER REPUBLIC FAN MAGAZINE AD

JOYOUS JOTTINGS on a BIG PICTURE

GET SET for a laugh, AMERICA! Here come those "ROOKIES ON PARADE"... REPUBLIC'S riot of fun ABOUT the boys in the ARMY camps and the GIRLS who refuse to be LEFT behind! You could TAKE out laughter-INSURANCE on the MERRY load of FUNSTERS in its ALL-STAR singing CAST...For instance, THERE'S that genius AMONG hep cats, BOB CROSBY...lovely RUTH TERRY... AND sultry-singing GERTRUDE NIESEN, UPROARIOUS EDDIE FOY, Jr., AND amusing MARIE WILSON, not to mention SUPER-HILARIOUS CLIFF NAZARRO, the original rib-TICKLING double-talker, and a HOST of others! And that's not all.. THERE are song-hits galore... TWO heart-tingling romances and DAZZLING SETTINGS FOR both SPECTACLE AND fun! SO for the TIME of your LIFE...be one OF THE happy throng that's HEADED for laughter... SONG and romance with "ROOKIES ON PARADE"

IT'S...

A REPUBLIC PICTURE

Kuykendall to Hit Multiple Film Tax

A protest against the threatened multiple taxes for the industry will be made to the House Ways and Means committee by Ed Kuykendall, M.P.T.O.A. president, at a hearing in Washington on Friday.

Kuykendall said he would oppose the levying of a film rentals tax on the ground that it would be passed on to the exhibitors, who, he said, will also be adversely affected by the contemplated lowering of the Federal admission tax exemption to 10 cents.

Even if the film rentals tax were so worded as to require distributors to pay it, Kuykendall said, distributors could not be prevented from recouping the tax through higher rentals or in other ways. Kuykendall said he will urge tax exemption for children's admissions of 10 cents.

The M.P.T.O.A president emphasized that it is not the exhibitors' desire, nor the industry's, to dodge its fair tax burden, but both are determined to oppose the multiple taxes which its regards as discriminatory. He pointed out that admission increases to absorb the taxes are hazardous undertakings now, because of poor theatre business in rural areas due to population shifts to the active industrial centers and the failure of national defense spending to be reflected yet in urban theatre attendance.

Kuykendall will leave for Washington tomorrow, returning to New York next week. He will attend the national convention of Variety Clubs, May 15 to 17, in Atlantic City, before returning to his Columbus, Miss., home.

'Ziegfeld' $11,000 Kansas City Best

KANSAS CITY, May 6.—"Ziegfeld Girl" and "The Penalty," at the Midland, drew $11,000. "The Lady from Cheyenne" took $2,300 at the Esquire, but no other bill exceeded average.

Estimated receipts for the week ending April 29-May 1:

"The Lady from Cheyenne" (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $2.300. (Average, $2,200)

"Ziegfeld Girl" (M-G-M)
"The Penalty" (M-G-M)
MIDLAND—(3,600) (28c-44c-) 7 days. Gross: $11,000. (Average, $9,500)

"Road to Zanzibar" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days, 3rd week. Gross: $7,000. (Average, $7,000)

"The Man Doctor" (Para.)
"The Monster and the Girl" (Para.)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $4,500. (Average, $5,000)

"Sleepers West" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Johnny Davis and orchestra. Gross: $6,000. (Average, $6,000)

"The Lady from Cheyenne" (Univ.)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $3.000. (Average, $3,000)

Hearing on Reader Guild Petition Opens

Hearings on the petition of the Screen Readers Guild for designation as collective bargaining agency for screen readers with the eight major companies started yesterday before N.L.R.B. Trial Examiner Daniel Baker, but were adjourned after a short session in an effort to have both sides agree to a stipulation on certain of the facts. Depending on the success of discussions about the stipulation, the hearings may be resumed today or later this week.

Canadian Soldiers May March to Music from Film Sound Trucks

Montreal, May 6.—Canadian soldiers in training may soon march to the tune of martial airs recorded on film and reproduced, if experiments being carried on at the Associated Screen News Studio here are successful.

Military brass bands are scarce in Canada, in proportion to the number of training units in the Dominion. Most of the bands have left for overseas duty with contingents on active service in the British Isles.

The search for marches, generally recognized as of value in military training, resulted in the discovery of a number of discs, but, with music unsuited to marching soldiers. The original idea was to mount turntables on trucks with speaker units, but that did not work out well over rough marching routes. Technicians, at Associated Screen News report progress with sound trucks, employing film-recorded music.

W. B. Dinner Held for Hinchy and Fellman

Ed Hinchy, who leaves this week for his new post as buyer and booker for Warner Theatres in the Philadelphia zone, and Nat D. Fellman, who goes to Cleveland in a similar capacity this weekend, were given a dinner by the Warner home office staff at Toots Shor's restaurant last night.

Attending were: Major Albert Warner, Joseph Bernhard, Gradwell Sears, Sam Schneider, Mort Blumenstock, Roy Haines, Len Schlesinger, Sam E. Morris, W. Stewart McDonald, Moe Silver, Don Jacocks, Zeb Epstin, Joe Hazen, R. W. Perkins, Joe Hummel, Karl MacDonald, Jake Wilk, Barney Klawans, Stanleigh Friedman, F. Hessberg, Clayton E. Bond, Harry Goldberg, Frank Cahill, Abel Vigard, Miles Alben, H. Levinson, Joe Karp, Albert Howson, Jules Girden, Frank Phelps, Norman Moray, Arthur Sachson.

Also A. W. Schwalberg, Ed Schnitzer, Sam Lefkowitz, Herman Maier, Frank Damis, Ted Trust, William McLoughlin, Rudy Weiss, Joe Tisman, Jules Levey, Harry Rosenquest, C. C. Ryan, Herman Goldberg, Max Blackman, R. W. Budd, H. M. Doherty, Phil Abrahams, Harold Rodner, T. J. Martin, John Holmes, Jim Brennan, Frank Kiernan, Martin Bennett, M. E. Henry.

Also, Harry Mayer, Sol Shernow, Mark Stone, H. Levine, H. Kaestner, H. Kaplowitz, Lou Kaufman, M. F. Marshall, Charles Bailey, Mike Dolid, E. N. Ullberg, R. Maguire, Ben Wirth, Don Sherwood, Dan Triester, Lou Siegel, A. Rockvam, Jack Herman, Stuart Aarons, M. Ruffman, Lou Brager, Al Brauninger, Rudy Hagen, E. Lange, F. L. Gates, Bernie Goodman, Ray Hewlett, L. Palumbo, Al Carpenter, Joe Goldstein and M. Brecker.

Hillside Wins Right To Examine Officials

Federal Judge Samuel Mandelbaum yesterday granted authorization to Hillside Amusement Co., plaintiff in a $900,000 triple damage anti-trust suit against the eight major companies, to examine before trial officers and directors of all company defendants.

Hillside, owner of the Mayfair Theatre, Hillside, N. J., has charged the defendants with conspiracy to deprive it of product and to favor certain other theatre operators in the north Jersey territory. The suit was the first to be brought after the signing of the consent decree.

'Dictator' $16,500 Leads Cincinnati

CINCINNATI, May 6.—"The Great Dictator," with $16,500 at the RKO Albee paced the field, while Las Vegas Nights," with the aid of "Gay New Orleans" with Gypsy Rose Lee on the stage, accounted for $12,000.

Estimated receipts for the week ending April 30-May 3:

"The Great Dictator" (U. A.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $16,500. (Average, $12,000)

"The Great Lie" (W. B.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $10,000)

"Las Vegas Nights" (Para.)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "Gay New Orleans" with Gypsy Rose Lee. Gross: $12,000. (Average, $10,000)

"Road to Zanzibar" (Para.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $5,700. (Average, $5,500)

"The Wagons Roll at Night" (W. B.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $3,100. (Average, $5,000)

"Men of Boys Town" (M-G-M)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $3,500. (Average, $4,500)

"The Lone Wolf Takes a Chance" (Col.)
"Trail of the Silver Spur" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)

"Dead Men Tell" (20th-Fox)
"Double Date" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)

"The Devil and Miss Jones" (RKO)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $5,000)

Lansing Company Acquired by Altec

Altec Service Corp. has expanded its activities, with the acquisition of the assets of the Lansing Manufacturing Co., Los Angeles, and the formation of Altec Lansing Corp., according to L. W. Conrow, Altec president.

The company, Conrow indicated, will continue the manufacture of Lansing loudspeaker systems for theatres and carry on the general distribution of public address equipment. G. L. Carrington, vice-president and general manager of Altec, will head the new company.

Weed Sues WBAX

The Stenger Broadcasting Co. and John H. Stenger, Jr., trading as WBAX, were named defendants yesterday in a suit in N. Y. Supreme Court for $3,642 commissions allegedly due to Joseph J. Weed, trading as Weed and Co. Weed claims to have been a national advertising representative for WBAX, Wilkes-Barre, Pa., station.

RCA Quarter Net Up to $2,734,572

RCA yesterday reported a net profit of $2,734,572 for the first three months of 1941 as compared with $2,312,893 for the same period last year, an increase of 18 per cent. After deductions for preferred dividends, earnings per share for the 13,881,016 common shares outstanding were 13.9 cents as compared with 10.9 for the same period in 1940.

Provision for Federal taxes increased from $525,800 for the first 1940 quarter to $1,596,100 for the first quarter this year.

Net profits before provisions for Federal taxes were $4,330,672 against $2,838,693 for the 1940 first quarter. Gross income rose to $34,303,323 from $28,310,407. Total defense orders and commitments received by RCA Manufacturing Co., a wholly owned subsidiary, amount to approximately $36,500,000 to date, it was revealed.

WNEW Boosts Night Power to 5,000 Watts

WNEW yesterday increased its power to 5,000 watts full time, following authorization for the boost by the FCC. Previously, the station had been operating with 5,000 watts days but only 1,000 watts at night. With use of the directional antenna, the increase in New York City will amount to 10 times its previous night signal strength. Cost of the new antenna and installation was $26,000, it was stated.

The station also announced several personnel changes. Al Sommerfield, formerly with *Collier's,* has been named promotion manager. Andrew Stanton and James Coy have joined the announcing staff and William Leifert has joined as an engineer. Frank Crennan of the production staff has resigned to join CBS. Peggy Gabriel, who recently was married to Cliff Corbett, WNEW engineer, has resigned as secretary to the sales department.

Musicians in Phila. Fight Coin Machines

PHILADELPHIA, May 6.—The local musicians' union, Local 77, has started a drive against coin film machines, feeling that the music machines are making inroads into the employment possibilities of musicians. All members, in an executive order, were advised to report to the union all instances of private affairs and parties as well as establishments where a music machine has been used instead of musicians.

Would Tax Machines

FIELDSBORO, N. J., May 6.—An ordinance, drawn at the instruction of the City Council, calls for an annual license fee on all coin-operated machines. The measure calls for a $20 license for pinball machines, $10 on music machines, and $5 on candy and cigarette-vending machines.

Formby's Father Dies

PLAINVIEW, Tex., May 6.—Funeral services were held here for J. A. Formby, father of William Formby, trade paper editor, who died of injuries received in an automobile accident here.

Milwaukee Journal Gets Authorization To Build FM Station

WASHINGTON, May 6.—The Federal Communications Commission has authorized the Milwaukee *Journal* to proceed with the construction of a new FM station, on a finding that public interest will be served by construction at this time without prejudice to the commission's determination of the policy to be followed with respect to the newspaper ownership of radio stations.

The commission ordered the issuance of a construction permit for a new FM station at Salt Lake City to the Radio Service Corp. of Utah, but specified that no construction shall be undertaken until the newspaper-ownership question has been settled.

An application for a construction permit for a new 1,340-kilocycle, 250-watt station at Birmingham, Ala., has been filed with the FCC by the Jefferson Broadcasting Corp.

Hearing on Antenna Change

The commission has designated for hearing an application of Station WTAQ, Green Bay, Wis., for authority to make changes in its directional antenna system which allegedly will involve a loss of service to over 100,000 listeners.

FCC orders granted a construction permit for a new 920-kilocycle, 1,000-watt daytime station at Burlington, N. C., to be built by the Alamance Broadcasting Co., Inc., and authorized stations WESX, Salem, Mass., to increase power from 100 to 250 watts, and WHBL, Sheboygan, Wis., to increase night power from 250 to 1,000 watts.

New Hearings Ordered

Hearings were ordered on the applications of the West Allis Broadcasting Co. for a new 1,480-kilocycle, 250-watt daytime station at West Allis, Wis., and Dalton Le Masurier for a new 1,440-kilocycle station at Grand Forks, N. D., with 500 watts power night, 1,000 watts day, using the facilities of Station KFJM, which has an application pending for change of time from unlimited to two hours daily.

Mobilize Defense, Ohio Meeting Told

COLUMBUS, O., May 6.—Speakers at the 12th Institute for Education by Radio at Ohio University today urged radio to prepare itself for national defense. Clifton Uxley, director of the Chicago Council of Foreign Relations, asserted: "Radio must mobilize for defense. It has had no past experience in war, but as the single, most powerful force, radio must give America belief, faith and morale as the cornerstone of the defense effort. If the country enters war, critics of the national policy must be silenced. Meanwhile, we must advocate the free use of the air by all factions not actually subversive."

Ed Kirby, director of radio for the U. S. Army, declared: "Radio must preserve morale and disseminate news. Every transmitter is a military objective during times of war. The microphone must be denied to those threatening national unity."

Off the Antenna

FROM Hope H. Barroll, Jr., WFBR, Baltimore, executive vice-president comes a statement upholding the FCC monopoly report. In part, he says: "Ever since the RCA owned both the Red and Blue networks, they have been in position to use the Blue network as a stooge to frustrate the growth of any new network. This has been done by offering unusually large cash discounts on the Blue network which, in case there was a loss from the operation of the Blue, the Red network could make up the deficit. In addition to this type of operation, they also held a threat over all of their affiliate stations that in case they did not cringe to the NBC and do exactly as they were told, they could in a short period be shifted from the profitable Red network to the unprofitable Blue. The NBC recently . . . undertook to switch WFBR from the profitable Red to the unprofitable Blue, and in order to persuade us not to go Mutual they offered this station a very large guarantee."

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Hardest hit *as the result of the FCC monopoly report are the NBC-Blue salesmen, because of the uncertain status of the network. This morning the salesmen will receive from Edgar Kobak, vice-president in charge of Blue sales, a letter saying in part:*

"We are making a thorough investigation of the FCC report and the regulations it issued. It is needless to add that whatever we decide to do will be done for the complete protection of the public, our company, our employes, our advertisers, our stations and our talent. We have not knowingly been guilty of any wrongdoing and any mistake which may have been made will be found to be of the head and not the heart."

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The CBS delegation to the NAB convention will be headed by Edward Klauber, executive vice-president, and will include Mefford R. Runyon, H. V. Ikerberg, Joseph H. Ream, Louis Ruppel, George Crandall, Gilson Gray, J. G. Gude, J. J. Karol, Frank N. Stanton, E. K. Cohan, W. B. Lodge, Thomas D. Connolly, Jerry Sill, George Dunham, Jr., Howard Meighan, Arthur Hull Hayes, Robert Somerville, Harry C. Butcher, A. D. Willard, Jr., Paul Porter, D. W. Thornburgh, Merle Jones, A. E. Joscelyn, J. L. Volkenburg, Frank B. Falknor, J. Kelly Smith, James Kane, Francis Byrne, Harold E. Fellows, Kingsley Horton, Earl H. Gammons and Carl Burkland.

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Niles Trammell, NBC president, will head a delegation of 25 to the NAB convention next week. Included are Frank E. Mullen, William S. Hedges, Frank Russell, A. L. Ashby, Keith Kiggins, John H. Norton, Jr., Otto Brandt, Sheldon B. Hickox, Sherman Gregory, Harry Kopf, C. W. Horn, O. B. Hanson, B. F. McClancy, Ken R. Dyke, Alfred H. Morton, A. A. Schechter, Doris Corwith, Lloyd Egner, Willis B. Parsons, John C. Treacy, Robert M. Morris, Frank Chizzini, Maynard Stitt and Thomas Weber.

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In answer *to a stockholder's question at the annual RCA meeting yesterday, David Sarnoff, president, revealed that the German Government had paid in full all charges for collect radiograms criticizing German radio programs sent by listeners here. The amount was not disclosed.*

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Effective May 15, WING, Dayton, O., now a basic Red and Blue supplementary, will become a basic Blue outlet.

Survey Shows Rural Day Listening Exceeds Urban

Greater daytime use of radio in rural areas than in the cities was indicated in a survey which will be released this week by Cooperative Analysis of Broadcasting. City listening tops rural set use after 8 P. M. on weekdays, it was found. The survey was based on about 75,000 completed interviews, 33,000 of which were made with rural and small town set owners.

The survey was made because network program ratings are based on metropolitan coverage only, although 43 per cent of the country's population is rural. The average daytime program rating in rural areas is 6.2 as compared with 5.5 in large cities At night, the average rural rating is 10.6 compared with the urban 12.8.

Rural audience preference differs from urban selections among network evening shows, the inquiry revealed. The first five, in the order named, are "Aldrich Family," Lowell Thomas, Jack Benny, Edgar Bergen-Charlie McCarthy and "Fibber McGee & Molly." Among the top 20 rural programs, there are five which are not found among the urban 20 favorites. These latter are "National Barn Dance," Gene Autry, "Battle of the Sexes," "Pot o' Gold" and "Plantation Party." Among rural daytime favorites are "Ma Perkins," "Pepper Young's Family," "Tom Mix Straight Shooters," "Jack Armstrong" and "Stella Dallas."

Evening programs which showed a preponderantly higher rating in rural areas as compared with urban were "Plantation Party," Lowell Thomas, "Uncle Jim's Question Bee," "National Barn Dance," "Easy Aces," "Death Valley Days," "Mr. Keen, Tracer of Lost Persons" and "Battle of the Sexes."

CBC Bids 'Air School'

The Canadian Broadcasting Corp. has invited the CBS "School of the Air of the Americas" through Sterling Fisher, director of education, to give three demonstrations in Canada this month on how the program may be used for classroom work.

Mutual-Ascap Vote Held Up; To Await NAB

The decisive stations of the Mutual network will refrain from voting on acceptance or rejection of the proposed new Ascap licensing agreement until they have heard the National Association of Broadcasters' analysis of the pact at the latter organization's convention in St. Louis next week, it was learned yesterday.

Thus, Neville Miller, NAB president, will prevent action of the majority bloc of the Mutual negotiating committee, which recommended immediate acceptance of the new contract, and Ascap music will be kept from the air for another 10 days, at least.

While more than 120 of Mutual's 178 stations have voted about evenly on the contract to date, the decisive group of "on-the-fence" stations will not send in their ballots until next week. If a majority of the stations approve the contract then, Ascap music could go on the air again immediately under a 90-day armistice, during which final details of the license agreements would be worked out.

John Shephard, III, and Hulbert Taft, Jr., members of Mutual's negotiating committee, also recommended that the Mutual stations defer acceptance of the pact at this time.

Ascap's future course as a result of the unexpected delay is uncertain at this time. Gene Buck, Ascap president, advised Miller last week that the society would hold him responsible for any damage suffered by Ascap as a result of his message to Mutual stations. However, it is felt that there is little possibility of any action by Ascap in advance of the NAB convention, and the society's subsequent action is believed to depend entirely upon the manner in which the NAB analysis of the Ascap contract is presented to the convention.

Some Ascap quarters expressed the belief that if undue pressure, or evidences of it, is brought to bear on Mutual stations at the St. Louis convention to influence them to withhold action on the contract, or to reject it, the Department of Justice might become interested in the situation.

NBC Negotiating To Continue BMI

NBC is conducting negotiations with Ascap on a basis which would permit BMI to be continued, it was stated yesterday by Niles Trammell, president. Trammell was present at the RCA stockholders' meeting and was called upon to give the stockholders the latest information on the music situation.

NBC paid BMI $189,783 in the first year of the latter's existence, and is obligated to pay an additional $200,388 for the year which began April 1, Trammell said.

Downey and 'Wolf' Loop Hit, $38,000

CHICAGO, May 6.—Morton Downey, headlining a stage show at the Chicago Theatre, and "The Sea Wolf" on the screen grossed $38,000. The Penalty" and a unit titled "You're In the Army Now," at the State-Lake drew $20,000.

Estimated receipts for the week ending May 2:

"Fantasia" (Disney)
APOLLO—(1,400) (50c-75c-$1.10-$1.65) 7 days, 10th week. Gross: $9,000. (Average: $6,500)
"The Sea Wolf" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Morton Downey. Gross: $38,000. (Average, $32,000)
"Road to Zanzibar" (Para.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,500. (Average, $5,000)
"Vivacious Lady" (RKO)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Dick Todd & Band and Eddie Peabody. Gross: $11,500. (Average, $13,000)
"The Devil and Miss Jones" (RKO) 3 days.
"A Girl, A Guy and A Gob" (RKO) 3 days.
"Lady From Cheyenne" (Univ.) 4 days.
"Model Wife" (Univ.) 4 days.
PALACE—(2,500) (35c-55c-75c) Gross: $14,500. (Average, $13,000)
"Adam Had Four Sons" (Col.)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days. Gross: $9,500. (Average, $11,000)
"Penalty" (M-G-M)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: "You're in the Army" Unit. Gross: $20,000. (Average, $15,000)
"Ziegfeld Girl" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 3rd week. Gross: $9,000. (Average, $14,000)

'Lie' Providence Winner at $9,700

PROVIDENCE, May 6.—The Majestic's dual, "The Great Lie" and "Strange Alibi," was good for $9,700, but business elsewhere was off.

Estimated receipts for the week ending April 30-May 1:

"The Black Cat" (Univ.)
"Play Girl" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $4,800. (Average, $6,000)
"Penny Serenade" (Col.)
"Washington Melodrama" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $10,000. (Average, $11,000)
"The Great Lie" (W. B.)
"Strange Alibi" (W. B.)
MAJESTIC—(2,250) (28c-38c-50c) 7 days. Gross: $9,700. (Average, $7,000)
"Sis Hopkins" (Rep.)
"The Round Up" (Para.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $5,000. (Average, $6,000)
"Fugitive From a Prison Camp" (Col.)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show featuring Ina Ray Hutton and orchestra; "Fats" Waller and orchestra; Frank and Jean Hubert; Al Gordon and His Racketeers. Gross: $7,800. (Average, $4,700)
"Back in the Saddle" (Rep.)
"Dead Men Tell" (20th-Fox)
FAY'S—(1,800) (15c-25c-35c) 7 days. Gross: $2,900. (Average, $2,800)
"The Sea Wolf" (W. B.)
"Double Date" (Univ.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $2,600. (Average, $3,500)
"Rage in Heaven" (M-G-M) (3 days)
"Little Men" (RKO) (3 davs)
"The Lady Eve" (Para.) (4 days)
"Girl in the News" (20th-Fox) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,700. (Average, $1,700)

Booker Transferred

CINCINNATI, May 6.—Charles Hurley, assistant booker of the Universal exchange in Washington, D. C., has been transferred to the local branch as head booker, to succeed Frank Schreiber, who resigned to become manager of the neighborhood Avon here.

Showmanship Flashes

School Essay Test For 'Land of Liberty'

Loew's Circuit has arranged an essay contest for students of Greater New York elementary and high schools in connection with the exhibition of "Land of Liberty." Separately judged for elementary and high schools, the essays on "What Democracy Means to Me" will be entered in school contests and the winning pieces in borough contests. Medals will be awarded.

Man on Street Is 'Doe' Stunt Feature

Philadelphia, May 6.—For "Meet John Doe," at Warners' Stanley, the public was advised to be on the watch for a "John Doe" who went through town for six days trying to give away $25 each day to courteous people. Each day he was assigned to a different section of the city. The promotion was arranged by Everett Callow, Warner circuit publicity head, in association with the Philadelphia *Daily News,* which carried running stories on the stunt.

Cards to Soldiers Used for 'Margie'

TORONTO, May 6.—Manager Gordon Beavis of the Royal Theatre, North Bay, Ont., caused a stir among the soldiers at the nearby military camp by distributing 600 small cards among the vacant bunks to promote "Margie." On each card was written: "Want a date?—Margie—Phone 2411." This was the telephone number of the theatre.

Unadvertised Film Draws Patrons on 'Chance' Night

LIME SPRINGS, Ia., May 6.—Patrons of the Lime Springs Theatre were admitted for 10 cents on the first of a series of "Take a Chance," nights, when no advertisement of the picture had been made, either in the local paper or at the theatre. Patrons did not know what they were to see until the picture apeared on the screen. Regular prices will be charged for the next "Take a Chance" night.

Stages Contests for 'Mr. and Mrs. Smith'

Fargo, N. D., May 6.—Edward Kraus, manager of the Fargo Theatre here staged several contests for his campaign on "Mr. and Mrs. Smith." Through the cooperation of Station WDAY, he conducted searches for the Smiths married longest, the tallest and shortest Smiths, the prettiest Smith twin girls, the most freckled Smith twin boys and the like.

Tear Up Books to Make 'Back Street' Throways

TORONTO, May 6.—The tearing up of four copies of the book "Back Street" to devise throwaways was a feature of the exploitation campaign on the feature of the same title by Manager Grant Garrette of the Geneva Theatre, Orillia, Ont. Each of the loose pages were overprinted in red for the theatre announcement. Even the four covers did not go to waste because he used these for lobby and window displays.

Frisco Gives Good $13,200 To 'Serenade'

SAN FRANCISCO, May 6.—"Penny Serenade" and "The Lone Wolf Takes a Chance" took $13,200 at the Orpheum. "Ziegfeld Girl" and "Shadows on the Stairs" drew a [illegible] $14,000 at the Warfield. The [illegible] was fair.

Estimated receipts for the week ending April 29-May 2:

"The Black Cat" (Univ.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $10,300. (Average, $15,000)
"Penny Serenade" (Col.)
"The Lone Wolf Takes a Chance" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days. Gross: $13,200. (Average, $8,000)
"The Night in Rio" (20th-Fox)
"Ride on Vaquero" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $13,500. (Average, $16,000)
"Road to Zanzibar" (Para.)
"Mr. District Attorney" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $8,500. (Average, $11,500)
"Men of Boys Town" (M-G-M)
"Blond Inspiration" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $5,000. (Average, $6,000)
"Ziegfeld Girl" (M-G-M)
"Shadows on the Stairs" (W. B.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $14,000. (Average, $12,000)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (25c-35c-40c-50c) 7 days, 3rd week. Gross: $,8000. (Average, $8,000)
"The Dream of Butterfly" (Esperia)
CLAY—(400) (15c-35c-45c) 7 days, 3rd week. Gross: $600. (Average, $1,000)
"Fantasia" (Disney)
GEAR Y—(1,288) (55c-75c-$1.10-$1.65) 7 days, 9th week. Gross: $10,000. (Average, $12,000)

'Jones' at $15,000, Detroit Grosses Off

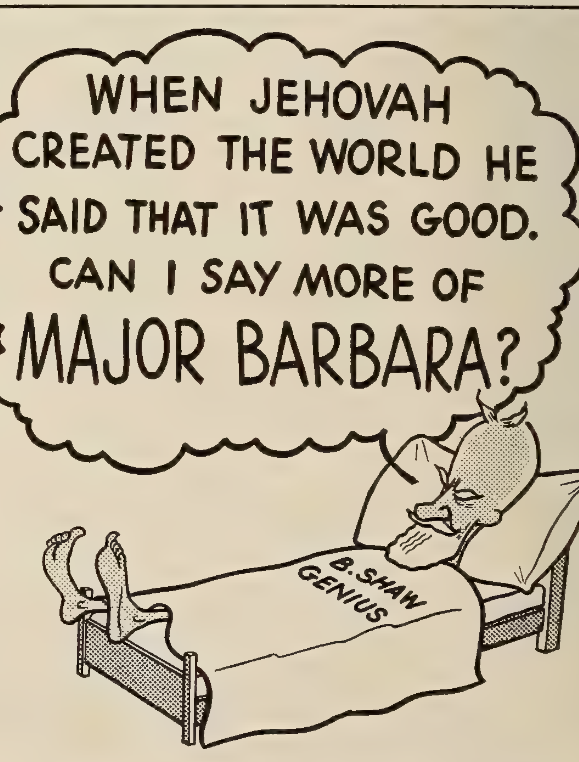
DETROIT, May 6.—"The Devil and Miss Jones" and "Dead Men Tell," in the second week at the Fox, drew $15,000, in a week of generally dull business, with no theatre exceeding average business.

Estimated receipts for the week ending May 1:

"That Night in Rio" (20th-Fox)
"Ellery Queen's Penthouse Mystery" (Col.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,000. (Average, $5,500)
"Tobacco Road" (20th-Fox)
"Four Mothers" (W. B.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $7,000)
"The Devil and Miss Jones" (RKO)
"Dead Men Tell" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days, 2nd week. Gross: $15,000. (Average, $15,000)
"Mr. and Mrs. Smith" (RKO)
"A Girl, a Guy and a Gob" (RKO)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days, 2nd week. Gross: $12,000. (Average, $12,000)
"Road to Zanzibar" (Para.)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $6,800. (Average, $7,000)
"Ziegfeld Girl" (M-G-M)
"Free and Easy" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days, 2nd week. Gross: $9,000. (Average, $10,000)
"Fantasia" (Disney)
WILSON—(1,400) (50c-75c-$1.10-$1.65) 7 days, 10th week. Gross: $8,000. (Average, $10,000)

Plan Portable Shows

KANSAS CITY, May 6.—McCormack and Greer, who operate the Majestic, Greenfield, Ark., have bought complete outdoor theatre equipment from Floyd Hill, Drexel, Mo. They plan to show through a circuit of smaller Arkansas towns.


WHEN JEHOVAH CREATED THE WORLD HE SAID THAT IT WAS GOOD. CAN I SAY MORE OF MAJOR BARBARA?
B. SHAW GENIUS

GABRIEL PASCAL, producer of "Pygmalion", presents a magnificent picturization of George Bernard Shaw's famous play **"MAJOR BARBARA"** starring **WENDY HILLER**, co-starring Rex Harrison and Robert Morley • Released thru United Artists.

Tonight's the night it opens at the FOUR STAR THEATRE, LOS ANGELES! Soon at the ASTOR THEATRE, N. Y.

DO NOT REMOVE

Alert,
Intelligent
and
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to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V[illegible] 49. NO. 90 NEW YORK, U. S. A., THURSDAY, MAY 8, 1941 TEN CENTS

Expansion of Ticket Tax Hit By Henderson

Levy on Goods Competing With Defense Urged

WASHINGTON, May 7.—U. S. Treasury suggestions for expansion of the admissions tax and for levies on other goods and services which do not compete with the defense program were criticized today by Leon Henderson, Administrator of the Office of Price Administration, as "deflationary, unnecessary and highly inequitable."

Appearing before the House Ways and Means Committee, Henderson said the Treasury should depend for the largest share of the revenue from excise taxes on levies on articles, such as automobiles, which compete with

(*Continued on page 4*)

To Pay Canada Tax Weekly, Starts Now

OTTAWA, May 7.—The Dominion Government has notified theatre operators that the new tax of 20 per cent on the gross receipts of film theatres is to be paid weekly by exhibitors, based on the previous week's grosses, and that the payments must start at once.

For the first time the Federal Department of National Revenue will require a license for each theatre in the Dominion, with the annual license fee set at $2 at the start. Theatres in Toronto now must pay license fees to the municipal, provincial and Federal Governments.

A Government spokesman has explained that the reason exemption is being granted legitimate theatres and concert halls under the provisions of the new tax is that the stage comes

(*Continued on page 4*)

Skouras Speaks at Garden Rally Here

Spyros Skouras, operating head of National Theatres and national president of the Greek War Relief Association, was among the speakers at a Rally for Freedom held at Madison Square Garden last night. The rally was sponsored by the American Committee to Defend America by Aiding the Allies. Skouras spoke as the representative of Greece.

Chief speakers were Wendell L. Willkie and Mayor F. H. LaGuardia.

B. A. Bans 'Nights'; Withdrawal Sought

Buenos Aires, May 7.—The Mayor of Buenos Aires late today signed a decree banning Universal's "Argentine Nights" on the ground that it is untrue to Argentina, and recommended to the Minister of Interior that the ban be applied to the rest of the country. The Mayor also asked that the Foreign Minister study the possibility of asking Universal to withdraw the picture from world distribution.

Radio Dispute On Ascap Pact Grows Wider

The split between Mutual network heads and a considerable portion of the radio industry appeared to grow wider yesterday after an indecisive meeting of the National Association of Broadcasters executive committee. The committee meeting, which was attended also by representatives of CBS, NBC and Mutual, came to no unanimous conclusion, it was reported. No official statement was forthcoming.

The committee will make its report to the NAB board in St. Louis on Monday.

Shortly after the meeting, Alfred J. McCosker, Mutual board chairman, and W. E. Macfarlane, president, sent

(*Continued on page 7*)

Hanson Resigns as Circuit President; Theatres to Odeon

TORONTO, May 7.—Oscar Hanson has resigned the presidency of Hanson Theatres Circuit, which is controlled by N. L. Nathanson, head of Famous Players Canadian.

Oscar Hanson

According to local reports, the Hanson circuit of more than 20 theatres in Ontario will become the Eastern nucleus of the new Odeon Circuit, which is headed by Paul Nathanson. The latter has developed an Odeon unit of 15 theatres in British Columbia and others throughout the Midwest.

Hanson, whose five-year contract with the circuit bearing his name has expired, will continue as president of

(*Continued on page 5*)

Accept Resignations Of O'Connor, Meyers

Confirming MOTION PICTURE DAILY's story of yesterday, RKO announced last night that George J. Schaefer, president, had accepted the resignations of J. J. O'Connor and Fred Meyers prior to his departure for the Coast.

Schaefer, the announcement said, "expressed appreciation of their long and faithful service and great regret at their resignation."

KUYKENDALL SLATED FOR MPTOA PRESIDENT AGAIN

Ed Kuykendall

The reelection of Ed Kuykendall for an eighth term as president of MPTOA at the organization's convention in Los Angeles appears to be a certainty as a result of his declaration yesterday that he will again accept the office if it is the unanimous wish of the MPTOA board of directors that he do so.

All other officers are scheduled for reelection at the convention at the Hotel Ambassador, June 9 to 12. The office of general counsel, which was vacated by Frank C. Walker on his appointment as Postmaster General, is to be filled.

Kuykendall was elected president of the MPTOA for the first time at the New Orleans convention in 1933, succeeding M. A. Lightman, president of Malco Theatres of Memphis. It is understood leaders in the organization have prevailed upon him to be a candidate again this year. (Convention committees are named. See page 2.)

Minn. Not to Enforce Law Pending Test

Permits Feature Selling On Usual Basis

Attorneys for major distributors have been informed that Minnesota authorities will make no attempt to enforce the state's anti-consent decree law pending the outcome of the court test of its validity to be undertaken by the distribution companies, it was learned yesterday.

Preparation of the distributors' application to enjoin the law will proceed regardless of the state's policy on enforcement, it was said. The papers are expected to be ready for filing by next week, although a decision on the injunction may not be obtained for a month more.

The Minnesota authorities' policy permits the companies to resume feature selling in the state on the usual basis until determination of the proposed action. However, attorneys for several companies said that they had not authorized their Minneapolis

(*Continued on page 4*)

Lovejoy Chairman Of Eastman Board

ROCHESTER, May 7.—Frank W. Lovejoy, formerly president and general manager of Eastman Kodak Co., today was elected chairman of the board of directors. He succeeds William G. Stuber, who was named to the new post of honorary chairman.

Thomas J. Hargrave, vice-president and secretary, was named president, and Albert F. Sulzer, formerly vice-president and assistant general manager, was named vice-president and general manager.

Dr. Albert K. Chapman, assistant vice-president, was named assistant general manager and was given the title of vice-president. Milton K. Robinson was named secretary, and William F. Shepard was elected to succeed Robinson as assistant secretary.

In Today's Issue

Four reviews: Hollywood review of "Affectionately Yours," "Federal Fugitives," Page 4; "I'll Wait for You" (from Hollywood), "Sheriff of Tombstone," Page 5.

Coast Flashes

Hollywood, May 7

LEADERS of the Western division of the AFL today said they had been requested to investigate the Screen Actors Guild treatment of junior, or extra, players. This was denied by SAG officers, who said no information regarding the reported investigation had been received from AFL headquarters or the Associated Actors and Artistes of America, its parent organization. AFL headquarters, reported to be antagonistic to SAG, insisted, however, that its probe into the Guild's "anti-democratic" rule would be pushed.

•

Scott R. Dunlap today was assigned to produce eight Buck Jones "Rough Riders" outdoor action films for Monogram.

•

Laudy Laurence of M-G-M's foreign staff has concluded production conferences here and left by plane tonight for New York.

Coast Stars Attend Variety Club Affair

ATLANTIC CITY, May 7.—A group of Hollywood stars will attend the national Variety Club annual convention at the Hotel Traymore here May 15-17.

Those who thus far have assured Chief Barker John H. Harris that they will be present include: Errol Flynn, Dorothy Lamour, Ray Milland, Charles Laughton, Patricia Morison, John Payne, Simone Simon, Phil Regan, Ann Shirley and Lew Ayres. They will be accompanied by Walter Wanger, co-chairman of the Western honored guests committee.

The highlight of the convention's broadcasting schedule will be the final banquet on Saturday night, May 17, when the club's annual Humanitarian Award will be made. Former Governor Hoffman of New Jersey will be toastmaster. On Friday evening, the affair to be held in the Westminster Room of the Chelsea Hotel will be known as the Pan American Night of Nights, with entertainers from South America and appropriate decorations.

Montana Theatres Drop Chance Games

HELENA, Mont., May 7.—The anti-gambling edict of State's Attorney General John W. Bonner has resulted in the dropping of chance games by virtually every theatre in the State, including the Marlow and Rio here.

The decree has resulted also in the closing of many night clubs and the curtailment of entertainment in others.

McLaglen Due Today

Victor McLaglen is due to arrive today from the Coast.

Associate wanted to join new enterprise. Great opportunity. Sales and promotional ability essential. Box 201, Motion Picture Daily, Rockefeller Center, New York.

Personal Mention

WILLIAM A. SCULLY, general sales manager for Universal, is due back from Dallas on Friday.

•

JOHN NATHAN, Paramount managing director for Argentina, is en route from Buenos Aires for a home office visit. JOHN DAY, the company's managing director for Brazil, is expected here later this summer.

•

S. D. RITCHIE, son of AL RITCHIE, manager of the Alhambra Theatre, Toronto, has won his wings in the RCAF. CLAUDE HUNTER, assistant at the Uptown, Toronto, and ALFRED DUGUID, treasurer at the house, have enlisted.

•

JACK K. ADAMS, Dallas franchise holder for Producers Releasing, arrived here by car yesterday with MRS. ADAMS and JACK, JR.

•

CLEVE ADAMS of Chicago is in town.

•

JOSEPH BURSTYN returned yesterday from Boston.

•

HERMAN GLUCKMAN has returned from Hollywood.

JACK SEGAL, foreign branch operations manager for Columbia, will sail on the *Santa Rosa* tomorrow for Buenos Aires where he will join JOSEPH A. MCCONVILLE, foreign manager, in a tour of Latin American offices.

•

OWEN LIGHTSTONE, manager of the Orpheum in Montreal, and BEVERLY SCHNITZER, daughter of EDWARD M. SCHNITZER, Warner district manager, will be married in Montreal June 15.

•

THEODORE HOOVER, Warner Theatres projection chief in Lima, O., is the father of a daughter.

•

MING-CHING SWEN of the American Film Center, Chengfu, China, is a visitor at the SMPE convention in Rochester this week.

•

MAY CAMERON of the Universal home office and RICHARD ODELL were married yesterday at the Fort George Church, Manhattan. They will spend their honeymoon in Atlantic City.

•

GENE TOWNE is here from Hollywood.

RKO's Field Sales Personnel Shifted

Eight changes in RKO sales personnel have been made by A. W. Smith, Jr., sales manager. The offices involved are Denver, Des Moines, Detroit, Milwaukee, Minneapolis, Omaha and St. Louis.

Errol Sanders has joined the Denver staff, replacing Fred P. Brown, resigned. E. E. Gruenberg, former Minneapolis salesman, has gone to Des Moines, succeeding E. J. Smith, Sr., moved to Buffalo. Edward Lebby has joined the Detroit staff, replacing Fred Bonnem, resigned, and Richard Saenger has been added to the Milwaukee sales staff.

C. H. Noodleman has been named a salesman in Minneapolis, succeeding Gruenberg. W. G. Carmichael has succeeded J. P. Smith, resigned, as Omaha salesman. William Hope has been named St. Louis salesman, succeeding L. S. Gruenberg, recently promoted to Salt City manager. J. Arends has been promoted from office manager to salesman at St. Louis.

La Guardia to Sign Bill on Display Ads

Mayor LaGuardia has indicated that he will sign a bill limiting display advertising for theatres in New York to a point not more than eight inches beyond the street wall of the building and not above the bottom of the second floor window sill.

The Mayor said that theatres had agreed with city officials as to the merit of the amendment to the building code.

Lee Gets British Film

Arthur A. Lee has acquired American rights to the General Film Distributors' picture, "A Window in London," starring Michael Redgrave and Paul Lukas. Lee will fly to Toronto Saturday, and from there will go to the Coast for several weeks.

Del. Towns Opening Sunday Show Fight

WILMINGTON, Del., May 7.—Action was started in two Delaware towns last night for a showdown on the question of Sunday films under the local option clause of the new statute liberalizing the state's blue laws.

The Town Council of New Castle passed an ordinance halting Sunday shows at the Earl Theatre until after a referendum May 23. The Town Council of Laurel last night gave first and second readings to two ordinances prohibiting Sunday amusements. At the same time the council left the decision on a referendum until a special meeting tomorrow night. If the decision is against a referendum the two ordinances will receive final reading in June. One forbids films, dances, horse races and theatrical performances, while the other bans operation of automatic machines and pin ball devices. Church groups are backing the ordinances.

At Harrington, various groups are reported preparing petitions against Sunday shows in that town.

15 Roadshow Dates Set for 'Fantasia'

Fifteen roadshow engagements have been set by RKO on Walt Disney's "Fantasia," according to Ned E. Depinet, distribution head. The film will open on a reserved seat basis at the National Theatre, Washington, and Apollo, Indianapolis, next Tuesday. On May 15 the film will open at the Strand, Louisville; Regal, Hartford, and Maryland, Baltimore.

Other dates are: Park, Reading, Pa., Senate, Harrisburg, May 21; Strand, Memphis; Granada, Duluth; Fox Blue Mouse, Seattle, May 22; Shubert, Cincinnati; Regent, Elmira, May 23; Wisconsin, LaCrosse, May 24; and Fox Music Box, Portland, Ore., May 29. The first Canadian engagement will be at His Majesty's Theatre, Montreal, on May 26 or June 2.

MPTOA Convention Committees Named

Committees for the MPTOA national convention at the Ambassador, Los Angeles, June 9 to 12, were completed yesterday by Ed Kuykendall, president.

The committees are as follows: *Credentials and Rules*: E. M. Fay, chairman; Morris G. Leonard, Chicago; S. J. Hyman, Huntington, W. Va., and J. R. Denniston, M[illegible], Mich.

Resolutions: Herman Levy, New Haven, chairman; Morris Loewenstein, Oklahoma City; Charles H. Arrington, Rocky Mount, N. C., and W. F. Ruffin, Covington, Tenn. *Film Buying Problems and Operating Policies*: Arthur H. Lockwood, Boston, chairman; O. C. Lam, Rome, Ga.; L. O. Lukan, Seattle; Harold Robb, Dallas, and James C. Shanklin, Ronceverte, W. Va.

Conciliation and Arbitration: A. C. Hayman, Buffalo, chairman; George P. Aarons, Philadelphia; William G. Ripley, Longview, Wash., and Benjamin Pitts, Fredericksburg, Va. *Public Relations and Community Affairs*: Mitchell Wolfson, Miami, chairman; H. V. Harvey, San Francisco; Sidney B. Lust, Washington, and M. A. Lightman, Memphis.

Legislation and Taxation: Roy L. Walker, Lampasas, Texas, chairman; Walter Vincent, New York; Joseph H. Brennan, Boston, and Nat M. Williams, Thomasville, Ga. *Music Tax and Copyright*: J. M. Hone, Seattle, chairman; A. J. Brylawski, Washington; Irving C. Jacocks, Branford, Conn., and M. S. McCord, North Little Rock, Ark. *National Defense Activities*: Lewen Pizor, Philadelphia, chairman; Ben Levin, San Francisco; Max A. Cohen, New York, and M. C. Moore, Jacksonville, Fla.

Labor Relations: Fred Wehrenberg, St. Louis, chairman; L. C. Griffith, Oklahoma City; Fred Meyn, Kansas City, and R. A. McNeill, San Francisco. *Radio and Non-Theatrical Competition*: R. R. Biechele, Kansas City, chairman; R. X. Williams, Jr., Oxford, Miss.; George Nasser, San Francisco, and Louis H. Ansell, St. Louis.

U. A. Cashier Dies

INDIANAPOLIS, May 7.—Mrs. Minnie Michelfelder, 42, a bookkeeper and cashier at the United Artists branch here, is dead.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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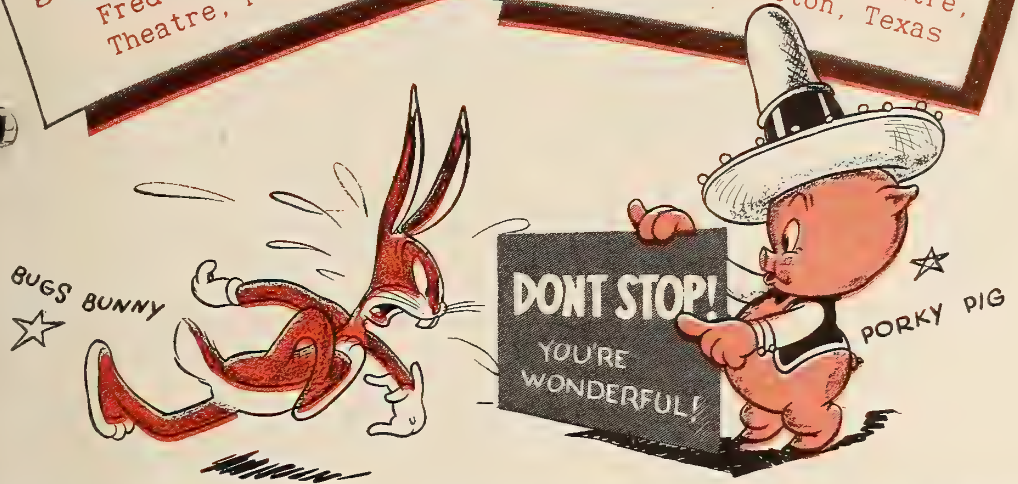
"Our patrons just love Vitaphone's 'Looney Tune' cartoons. The background music adds greatly to these shorts."
Fred C. Allen, Princess Theatre, Piedmont, Ala.

"Merrie Melodies are the best cartoons made! Some of my patronage have asked me to show these cartoons again."
Vic Stephano, Grove Theatre, Groveton, Texas

"Bugs Bunny (in 'Merrie Melodies') is rapidly becoming the college students' 'favorite cartoon character. They are continually asking when the next is dated. I only wish I could get enough of them!"
W. Varick Nevins III, Alfred Co-Op Theatre, Alfred, N. Y.


BUGS BUNNY
DONT STOP!
YOU'RE WONDERFUL!
PORKY PIG

THEY'RE ALL WRITING IN TO SAY THERE'S NO CARTOON ENTERTAINMENT LIKE WARNERS GIVE 'EM IN THE

MERRIE MELODIES

IN TECHNICOLOR

AND LOONEY TUNES

Produced by
LEON SCHLESINGER

LOUIS SOBOL JUST SAID IN THE N. Y. JOURNAL-AMERICAN and ALL SYNDICATED NEWSPAPERS:
"For the cleverest, funniest and goofiest animated short of the year I nominate *'Tortoise Beats Hare'* (a Merrie Melodie)! I stayed over to see it twice and doubled myself into the laugh - bend

'Bugs Bunny' and 'Elmer' were just on the air over CBS network on famous Al Pearce Show! A coast-to-coast boost for 'Merrie Melodies'!

Minn. Not to Enforce Law Pending Test

(Continued from page 1)

branches to resume selling yet, indicating that this might not be done until an official notification from a responsible state authority had been received. The companies' information concerning the state's policy, while regarded as authoritative, is not considered to be an official notification.

It was stated here that the Minnesota policy reflects the willingness of the state authorities to have the validity of the law passed upon by the Federal courts, particularly in view of the fact that very little selling would be done under the state law prior to the new season, in any event.

Southern Grosses Holding Up: Netter

Theatre attendance in the South is at normal level for the season and has not developed noticeable declines such as are reported from numerous other sections of the country, Leon Netter, Paramount home office theatre executive, said yesterday.

Netter returned recently from business conferences with a number of Paramount theatre associates in the South and attended the annual meeting of managers of the E. J. Sparks circuit in Florida. He reported that except for the usual seasonal lull in Florida at this time of year, Paramount operators reported attendance at average levels elsewhere in the South.

Pa. Allied Group To Probe Drives

PITTSBURGH, May 7.—Allied M. P.-T. O. of Western Pennsylvania, affiliate of Allied States, has set up a "Defense Relief Investigating Committee," which, according to a statement, will collect information "on relief and propaganda films and drives" and make recommendations to members based on its findings.

The members of the committee will be anonymous. It will operate locally, although national Allied is represented on the Motion Picture Committee Cooperating for National Defense by H. A. Cole, president, and Nathan Yamins. The local Allied board has gone on record for full cooperation "on all defense reels released and sponsored by the United States Government."

Duke Has Course In Management

Durham, N. C., May 7.—A course in theatre management is now a part of Duke University's student training. The students gain practical experience at the university motion picture theatre on the campus. Their training is supplemented by instruction by non-faculty lecturers.

Feature Reviews

"Affectionately Yours"

(Warners)

Hollywood, May 7

WARNER'S "Affectionately Yours" is an attempt, not too highly successful, at making a light, farcical comedy of a newspaperman's endeavors to win back a wife who divorced him because of his constant traveling as required by his job. Involved are his managing editor who wants to keep the couple apart, a girl reporter in on the plot, the fiance of the ex-wife, and numerous other characters.

In some spots, the picture is hilariously funny; in others, it is reminiscent of other newspaper pictures. Previewed in a Los Angeles neighborhood theatre, it evoked considerable laughter from the audience.

Topping the cast are Merle Oberon, Dennis Morgan, and Rita Hayworth, with Ralph Bellamy, George Tobias, James Gleason and Hattie McDaniel among the chief supporting players. Morgan, who had the principal male lead in "Kitty Foyle," gets another opportunity to demonstrate his ability in this, and does handsomely. Bellamy, Tobias, Gleason and Miss McDaniel give excellent characterizations.

Lloyd Bacon directed the film, Mark Hellinger's final production at Warners. Hal B. Wallis was the executive producer.

Running time, 90 minutes. "G."* VANCE KING

"Federal Fugitives"

(Producers Releasing)

HERE the attempt of foreign agents to take possession of a new type of airplane has been developed into routine spy melodrama probably of sufficient interest only in the smaller theatres.

The story takes place in Washington, where Neil Hamilton, Federal man, is assigned to investigate foreign operatives. Learning of their plan he poses as the partner of the plane's inventor. After making some important discoveries, he is finally detected and in a melodramatic showdown, captures the spies.

Hamilton does justice to his part while fair support is rendered by Victor Varconi, as the agent bent on obtaining the plane; Doris Day, who works indirectly for Varconi, not knowing of his scheme; Lyle Latell, Hamilton's comic aide, and others. William Baudine directed.

There are references in the story to the defense program and the Office of Production Management which might be used in exploitation.

Running time, 66 minutes. "G."*

"G" denotes general classification.

Intervenes in Pa. Arbitration Case

PHILADELPHIA, May 7.—R. J. Budd, operator of the Theatorium, Lykens, Pa., today intervened as an interested party in the arbitration clearance complaint of Bryant Wiest's Hollywood at Elizabethville, Pa., against M-G-M.

Hearing on Philadelphia's second complaint, a "some run" case against M-G-M, by David Silver of the Earle, Newcastle, Del., has been set for hearing May 15, with Professor Rupert C. Schaeffer, Jr., as arbitrator.

Albany Clearance Hearing Resumed

ALBANY, May 7.—Hearing of the Albany territory's first two arbitration cases, brought by Alex Papayanakos, has been resumed here before Morton J. Hall, arbitrator. Both complaints are directed against the clearance schedules affecting the plaintiff's America Theatre at Canton in relation to Schine houses in Ogdensburg. Counsel for RKO and Warners, respondents, cross-examined Papayanakos, and the hearing will continue tomorrow.

Drop Service Shows

HALIFAX, N. S., May 7.—The Capitol, Famous Players Canadian house here, has discontinued its Sunday evening shows to which service men were invited free.

Birmingham Schools Increase Film Use

BIRMINGHAM, Ala., May 7.—Motion pictures are being put to increased use for educational purposes by the Birmingham city schools. According to T. R. Wright, principal of the Barker School and chairman of the visual education committee, 12 elementary schools and six high schools now have sound film equipment.

For the schools which cannot afford to purchase projectors, the Birmingham Council of Parents and Teachers has a projector which is loaned to the schools. The P. T. A. is developing a library of educational films at the Henley School Museum which the Board of Education will supply free.

Closes Spokane Office

SEATTLE, May 7. — Ben Shearer, president of B. F. Shearer Theatre Equipment Co., has closed the Spokane branch, and will handle the eastern Washington territory from here. E. R. Bechtol, former Spokane manager, returns here and succeeds Roy Peacock as office manager. Peacock is being transferred to the Shearer office in Los Angeles.

'Thumbs Up' to England

A print of "Thumbs Up," film made for the British War Relief Society by Herbert T. Edwards, has been sent to London for showing to executives of the society there.

Expansion of Ticket Tax Hit By Henderson

(Continued from page 1)

defense production for materials, productive facilities and skilled labor.

Instead of depending on goods and services which do not compete with the like, he declared, the bulk of the taxes should be imposed on consumers' durable goods. "I would then recommend dropping proposed increases on most other consumers' goods," Henderson said.

The Treasury's admission tax proposal is for a reduction of the present 20-cent exemption on theatre admissions to nine cents, with the tax, as now, one cent on each 10 cents or fraction thereof of admission.

To Pay Canada Tax Weekly, Starts Now

(Continued from page 1)

within the scope of another form of taxation, the National Defense Tax which is imposed on actors, vocal artists, musicians and orchestras, as well as touring stage employes, before they are permitted to receive payment for performances.

Canadian Commons Hears Tax Protest

OTTAWA, May 7.—Col. J. A. Ross, Conservative member of the Canadian House of Commons, representing Souris, expressed the fear in Commons yesterday that the new Canadian Dominion amusement tax of 20 per cent on all admissions to theatres would have the effect of putting many of the smaller, rural film theatres out of business.

This was the first objection registered to the new admission tax program in the House of Commons itself. Following the declaration by Finance Minister Ilsey that the tax would be assessed, various theatre interests, including Famous Players Canadian Corp., protested against the tax. The high percentage of the assessment caught the Canadian industry completely by surprise.

Steel Use Prevents Nova Scotia Building

ST. JOHN, N. B., May 7.—The insistence on steel in the building of new theatres is claimed by exhibitors to be barring the way to the construction of new picture houses.

The provincial regulations call for the use of steel in all new theatre construction. With business up everywhere in Nova Scotia, construction has been limited to one house. Steel is not only very high in price, but practically impossible to buy, owing to the need of it for war orders.

PRC Board to Meet

The board of directors of Producers Releasing Corp. will meet at the home office on Saturday, in a regular meeting. O. Henry Briggs will preside.

Stereophonic Sound Shown Before SMPE

ROCHESTER, May 7.—A demonstration of the new stereophonic sound film system, developed by the Bell Telephone Laboratories, featured the third day's session of the annual Spring Convention of the Society of Motion Picture Engineers here today.

Today's meeting was a joint sessi[illegible]f the SMPE and the Acousti-ca[illegible]ciety of America, with two general discussion sessions, held during the morning and afternoon at the Sagamore Hotel, and a stereophonic demonstration this evening at the Eastman Theatre. Members of the Eastman School of Music and the Rochester Musical Society attended the theatre demonstration. The demonstration, a series of musical selections, was preceded by introductory remarks by Howard Hanson, director of the Eastman School of Music; Emery Huse, SMPE president; Floyd R. Watson, president of the Acoustical Society, and Harvey Fletcher, director of physical research for Bell Laboratories.

Various technical aspects of the new system were outlined to the delegates at a session this morning and this afternoon. In addition, discussions were held on "Progress in Three-Dimensional Photography," by J. A. Norling, of Loucks & Norling, New York, and on motion pictures of the sun, by Dr. R. R. McMath of the McMath-Hulbert Observatory of the University of Michigan.

The four-day convention will come to a close tomorrow.

'Ziegfeld' Cleveland Winner at $14,000

CLEVELAND, May 7.—"The Ziegfeld Girl" made the best showing since the Easter slump, drawing $14,000 at Loew's State.

Estimated receipts for the week ending May 1-2:

"The Great Lie" (W. B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $4,200. (Average, $4,000)
"That Night in Rio" (20th-Fox)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $5,900. (Average, $11,000)
"Model Wife" (Univ.)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. Ted Weems' orchestra and stage show. Gross: $10,800. (Average, $13,500)
"The Ziegfeld Girl" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $14,000. (Average, $11,000)
"Road to Zanzibar" (Para.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $5,500. (Average, $4,000)

$10,000 Is Montreal 'Back Street' Gross

MONTREAL, May 7.—"Back Street" at Loew's drew $10,000. Other attractions failed to do average business during fine weather.

Estimated receipts for the week ending May 1:

"Son of Monte Cristo" (U. A.)
ORPHEUM—(1,000) (25c-34c-50c) 7 days, 3rd week. Gross: $2,600. (Average, $4,000)
"Back Street" (Univ.)
LOEW'S—(2,900) (30c-40c-60c) 7 days. Gross: $10,000. (Average, $7,000)
"The Bad Man" (M-G-M)
"Scotland Yard" (20th-Fox)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,100. (Average, $2,500)
"That Night in Rio" (20th-Fox)
PALACE—(2,200) (25c-45c-65c) 7 days, 2nd week. Gross: $4,400. (Average, $7,000)
"I See Ice" (British)
"Street of Memories" (20th-Fox)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $3,200. (Average, $4,000)

Feature Reviews

"I'll Wait for You"

(M-G-M)

Hollywood, May 7

PRODUCED with care but not pretension, and offering the newcomer, Robert Sterling, in the principal role, this comedy-drama tells again the story of the gangster who, hiding out from the law on a farm, is moved by the influences of his surroundings, including the farmer's daughter, to see the error of his ways and surrender himself to the police as a preliminary to going straight. Marsha Hunt portrays the girl in the case and the support includes Virginia Weidler, Paul Kelly, Fay Holden, Henry Travers, Don Costello, Carol Hughes and many others.

This telling of the tale differs little from others that have served before. It opens with Sterling a gangster Casanova preying upon New York restaurant owners via the laundry checkup on their business. Fleeing arrest, he is shot and takes refuge on a farm in Connecticut where the family, believing him honest, welcome him to their circle. He falls in love with the girl and experiences regeneration.

Familiarity of the theme is perhaps the film's chief weakness. It was soundly produced by Edwin Knopf and ably directed by Robert B. Sinclair.

Running time, 71 minutes. "G."*

ROSCOE WILLIAMS

"Sheriff of Tombstone"

(Republic)

THE story in this instance is in effect a series of tussles and finally one big battle which results in a thoroughly cleaned up town of Tombstone.

Under the experienced supervision of Joseph Kane as associate producer and director, and with Roy Rogers and Gabby Hayes in the leading roles, the yarn has been fashioned into an engaging Western. The final fracas which highlights the film is especially well handled and probably will thrill every loyal action fan.

The supporting cast includes Elyse Knox, Addison Richards, Sally Payne, Harry Woods, Zeffie Tilbury, Jay Novello and Jack Ingram. The photography is splendid.

Running time, 56 minutes. "G."*

"G" denotes general audience classification.

Para. Exchange in Liverpool Bombed

The Paramount exchange at Liverpool, England, was damaged extensively in an air raid on the city last Monday night, according to word received at the home office yesterday.

Hanson Resigns as Circuit President; Theatres to Odeon

(*Continued from page 1*)

Empire-Universal Films, Sovereign Films, Sovereign Film Distributors, Ltd., Sterling Films, Ltd., and Associated Theatres, Ltd. The latter company is expected to expand its film buying and booking operations to include the new Odeon circuit, Hanson Theatres and a number of independent theatres in the Toronto territory.

N. A. Taylor, head of 20th Century Theatres, a reputed independent circuit, is reported to have been named vice-president of the holding company which includes the Odeon Circuit in its corporate family. Paul Nathanson is president of the parent company. The 20th Century circuit is said to be backed by Nathanson.

Griffith Off to Bahamas

Edward H. Griffith, Paramount producer, left here yesterday for the Bahamas, where he will film sequences for "Dildo Cay."

'Sea Wolf' Takes $11,300 in Denver

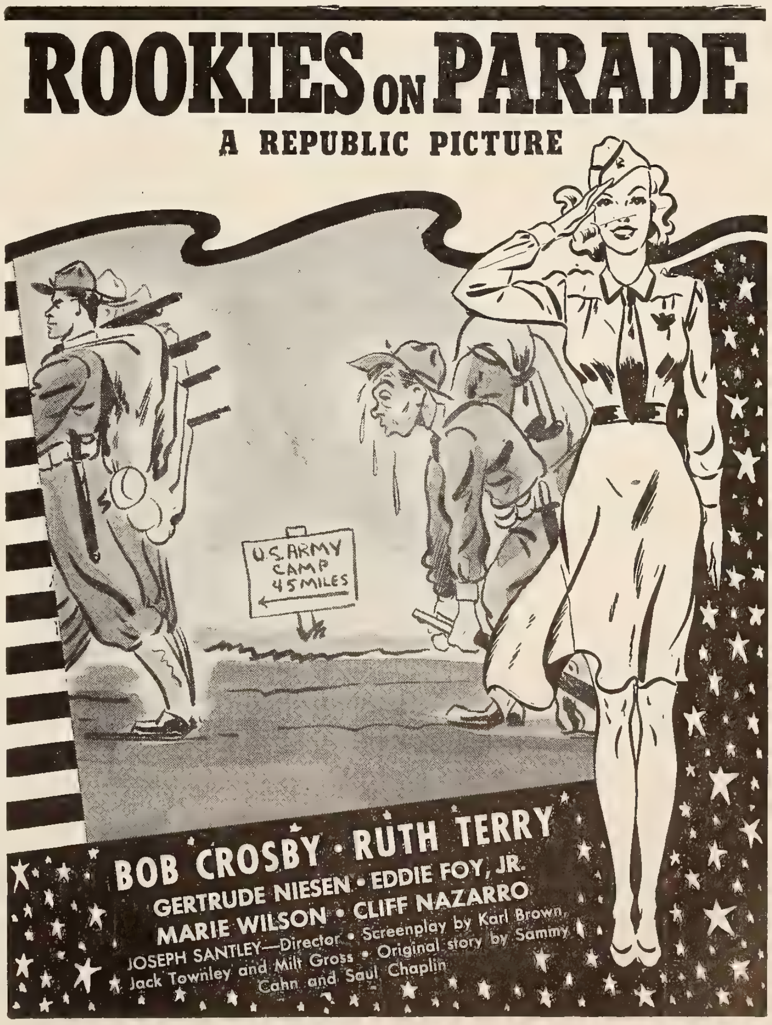
DENVER, May 7. — The Denver Theatre, with "The Sea Wolf" taking $11,300, was followed by "Road to Zanzibar" in its third week at the Denham with $9,500.

Estimated receipts for the week ending April 29-May 2:

"That Night in Rio" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,000)
"Gone With the Wind" (M-G-M)
BROADWAY—(1,040) (40c-50c) 6 days, 4th week. Gross: $2,500. (Average, $2,500)
"Road to Zanzibar" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 3rd week. Gross: $9,500. (Average, $6,400)
"The Sea Wolf" (W. B.)
"The Black Cat" (Univ.)
DENVER—(2,600) (25c-35c-40c) 7 days. Gross: $11,300. (Average, $8,700)
"Men of Boys Town" (M-G-M)
"Footlight Fever" (RKO)
RKO ORPHEUM—(2,600) (25c-35c-40c) 7 days, 2nd week. Gross: $9,000. (Average, $8,700)
"So Ends Our Night" (U. A.)
"Golden Hoofs" (20th-Fox)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $5,000. (Average, $3,800)
"Pot O' Gold" (U. A.)
"City of Missing Girls" (Select)
RIALTO—(900) (25c-40c) 7 days, 3rd week. Gross: $2,500. (Average, $2,100)

Picket House With Nazi 'Victory' Film

Pickets sent by the German-American Congress for Democracy yesterday paraded in front of the 96th Street Theatre in the Yorkville section, where the Nazi film, "Sieg im Westen" ("Victory in the West") opened. The pickets carried placards urging the public not to attend the theatre.


ROOKIES ON PARADE
A REPUBLIC PICTURE
U.S. ARMY CAMP 45 MILES
BOB CROSBY · RUTH TERRY
GERTRUDE NIESEN · EDDIE FOY, JR.
MARIE WILSON · CLIFF NAZARRO
JOSEPH SANTLEY—Director · Screenplay by Karl Brown, Jack Townley and Milt Gross · Original story by Sammy Cahn and Saul Chaplin

MOTION PICTURE DAILY'S BOOKING CHART

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

	COLUMBIA	M-G-M	MONOGRAM	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS
Apr. 11		Men of Boys Town (D) 132 *Rooney-Tracy*	Break the News (D) *M. Chevalier J. Buchanan*	Road to Zanzibar (C) *Bing Crosby Lamour-Hope*	Sis Hopkins (C) 2-Gun Sheriff (O)	Devil and Miss Jones (C) *Jean Arthur Charles Coburn*	That Night in Rio (M) 137 *Alice Faye Don Ameche*	Pot o' Gold (C) *James Stewart P. Goddard*	Lady from Cheyenne (O) *Loretta Young Robert Preston*	The Great Lie (D) *Bette Davis George Brent*
Apr. 18	Under Age (D) *Nan Grey Alan Baxter*	Washington Melodrama (D) 131 *Frank Morgan*	Hoosier Schoolboy (D) *Mickey Rooney* (Re-issue)	Border Vigilantes (O) *William Boyd Russell Hayden*	Rookies On Parade (C) *Bob Crosby Ruth Terry*	Robbers of the Range (O) *Tim Holt Virginia Vale*	Ride On Vaquero (O) *Cesar Romero Mary B. Hughes*	That Hamilton Woman! (D) *Vivien Leigh L. Olivier*	Model Wife (D) Mutiny in the Arctic (D)	Strange Alibi (D) *Art. Kennedy Joan Perry*
Apr. 25	Penny Serenade (C) *Cary Grant Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr Turner-Garland*	Tumbledown Ranch in Arizona (O) Invisible Ghost (D)	Power Dive (D) *Richard Arlen Jean Parker*	Lady From Louisiana (D) *John Wayne Ona Munson*	They Met in Argentina (M) *Maureen O'Hara James Ellison*	Mail Train (D) 139 *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon Melvyn Douglas*	Flame of New Orleans (D) 5011 *Marlene Dietrich*	The Wagons Roll at Night (D) 560 *Bogart-Sidney*
May 2	The Big Boss (D) They Dare Not Love (D)	People vs. Dr. Kildare (D) *Ayres-Day L. Barrymore*	Roar of the Press (D) *Jean Parker Wallace Ford*	Reaching for the Sun (D) *Joel McCrea Ellen Drew*	The Singing Hill (O) *Gene Autry Smiley Burnette*				Black Cat (D) 5028 *Basil Rathbone Hugh Herbert*	Thieves Fall Out (C) 516 *Eddie Albert Joan Leslie*
May 9	Her First Beau (C) *Jane Withers Jackie Cooper*	A Woman's Face (D) *Joan Crawford Melvyn Douglas*	House of Mystery (D) The Pioneers (O)		Country Fair (C) Sheriff of Tombstone (O)		Great American Broadcast (M) *Alice Faye Oakie-Payne*			Affectionately Yours (C) *Merle Oberon Dennis Morgan*
May 16	She Knew All the Answers (C) *Joan Bennett Franchot Tone*	I'll Wait for You (D) *Marsha Hunt Robt. Sterling*	The Redhead (D) *June Lang Johnny Downs*	There's Magic in Music (M) 4021 *Allan Jones Susan Foster*	The Gay Vagabond (C) *Roscoe Karns Ruth Donnelly*		Cowboy and the Blonde (O) *Mary B. Hughes G. Montgomery*	Adventures of Tom Sawyer (D) Prisoner of Zenda (D) (Re-issues)		Singapore Woman (D) 563 *Brenda Marshall David Bruce*
May 23	Naval Academy (D) *F. Bartholomew*	Love Crazy (C) *Myrna Loy Wm. Powell*	King of the Zombies (D) *Dick Purcell J. Woodbury*	Pirates on Horseback (O) *William Boyd Russell Hayden*	Desert Bandit (O) *Don Berry Lynn Merrick*	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) *John Beal*		Too Many Blondes (M) *Rudy Vallee Helen Parrish*	The Nurse's Secret (D) 523 *Lee Patrick Regis Toomey*
May 30	Adventure in Washington (D) *Herbert Marshall Virginia Bruce*	Billy the Kid (O) *Robert Taylor Mary Howard*	Silver Stallion (O) *David Sharpe Janet Waldo*	I Wanted Wings (D) *Ray Milland Holden-Morris*	Saddlemates (O) *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* The Saint's Vacation (D)	Blood and Sand (D) 143 *Tyrone Power Linda Darnell*		In the Navy (C) *Bud Abbott Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane Jeffrey Lynn*
June 6		The Get-Away (D) *Robt. Sterling C. Winniger*	Wranglers' Roost (O) *Range Busters*		Angels With Broken Wings (D) *Binnie Barnes*	The Reluctant Dragon (Disney) Cyclone on Horseback (O)	For Beauty's Sake (C) *Ned Sparks Marjorie Weaver*		Men of the Timberlands (D) 5055 *Arlen-Devine*	Devil Dogs of the Air (D) (Re-issue) Shining Victory (D)
June 13	Time Out for Rhythm (M) *Rudy Vallee Glen Gray*	· Bargain Basement (C) *Marx Bros.*	Gang's All Here (D) *Frankie Darro Mantan Moreland*	One Night in Lisbon (D) *F. MacMurray M. Carroll*		Tom, Dick and Harry (C) Bring 'Em Back Alive 131	Bride Wore Crutches (C) *Lynne Roberts Ted North*		Tight Shoes (D) *Binnie Barnes Brod. Crawford*	The Gentle People (D) *John Garfield Ida Lupino*
June 20	Hands Across the Rockies (O) *Bill Elliott Mary Bailey*			West Point Widow (D) *Anne Shirley Richard Carlson*	Nevada City (O) *Roy Rogers Gabby Hayes*		Man Hunt (D) *Walter Pidgeon Joan Bennett*		Law of the Range (O) San Antonio Rose (O)	Passage from Hong Kong (D) *Keith Douglas*
June 27		Blossoms in the Dust (D) *Greer Garson Walter Pidgeon*	Bowery Blitzkrieg (C) *East Side Kids*	Parson of Panamint (D) *Charles Ruggles Ellen Drew*			A Very Young Lady (D) *Jane Withers Nancy Kelly*		Hit the Road (D) *Dead End Kids Tough Guys*	Underground (D) *Jeffrey Lynn Mona Maris*

Blossom out with PARAMOUNT SHORTS

April 25 Grantland Rice Sportlight 'SUN FUN'

May 2 Magnacolor 'POPULAR SCIENCE No. 5'

May 9 Animated Antics Cartoon 'SNEAK, SNOOP AND SNITCH IN TRIPLE TROUBLE'

May 9 Popeye the Sailor 'POPEYE MEETS RIP VAN WINKLE'

100% BOX OFFICE TESTED!

Spread Facts About S.A., Radio Is Urged

Columbus, O., May 7. — Philip Barbour, of the office for the coordination of relations among the American republics, declared today at the 12th Institute for Education by Radio at Ohio University that "radio's most helpful contribution to hemispheric solidarity would be to help South Americans to know each other better."

"The difficulty with producing programs directed to South America is that the same broadcast must appeal to at least 20 different types of background, interest and intelligence," he said. "Music of South and Central American countries should be featured on our programs."

Three New Stations Authorized by FCC

WASHINGTON, May 7.—Construction of three new broadcasting stations was given approval today by the FCC, which issued permits to the Chilton Radio Corp. for a 660-kilocycle, 1,000-watt, day-time station at Dallas; Northwest Georgia Broadcasting Co. for a 1,340-kilocycle, 250-watt station at Cedartown, Ga., and Cascade Broadcasting Co., Inc., for a 1,460-kilocycle, 500-watt station at Everett, Wash.

A change of frequency from 1,230 to 620 kilocycles and increase of power from 250 to 1,000 watts was granted Station WCAX, Burlington, Vt., and an increase of night power from 1,000 to 5,000 watts and extension of time from limited to unlimited was granted Station WMAZ, Macon, Ga.

Hearings Scheduled

The commission set for hearings the applications of the Nashville Radio Corp. and A. M. Burton, each seeking a new 1,410-kilocycle, 1,000-watt station at Nashville, and Station KEVR, Seattle, for change of frequency from 1,400 to 1,090 kilocycles, extension of time from sharing to unlimited and increase of power from 100 to 250 watts. On May 26, hearings will be held on the applications of the Trent Broadcast Corp. for a new 1,230-kilocycle, 1,000-watt station at Trenton, N. J.; Station WTNJ, also Trenton, for change of frequency from 1,310 to 1,230 kilocycles and increase of power from 500 to 1,000 watts, and Station WDAS, Philadelphia, for change of frequency from 1,400 to 1,260 kilocycles and increase of power from 250 watts to 1,000 watts night, 5,000 watts day.

Decca Record Buys Brunswick from W.B.

Decca Record Co. has completed the purchase of the stock of Brunswick Radio Corp., a wholly owned Warner subsidiary, Jack Kapp, Decca president, stated yesterday. Warners purchased Brunswick about 1928 when the film company introduced sound on disc. With the dominance of sound on film, however, Brunswick's record business became largely inactive. Decca plans to utilize the Brunswick factories.

Off the Antenna

CBS and NBC-Red have issued new promotion pieces. The CBS item is a large, detailed brochure called "New Shapes for Old Sounds" describing 219 CBS station improvements since July 15 with a postscript describing four more. The Red promotion is called the "CAB Scoreboard" and will be issued every two weeks. It lists the CAB ratings for Red evening programs with comparisons of other network ratings.

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Purely Personal: *Raymond Paige, chairman of the American Musical Arts Foundation, yesterday presented the American Music Achievement Trophy to State Teachers College of Indiana, Pa. . . . Allen Stuart has received the announcing assignment on "Manhattan at Midnight" over NBC-Blue. . . . Mary Dunlavey has replaced John Schultz, now in the Army, as radio space buyer for Erwin, Wasey in New York . . . Carey Cronan, former night news editor of WELI, New Haven, has succeeded Bill Dukeshire, resigned, as day editor of the station, while Jerry Lewis has taken over the night side. . . . Three Philadelphia engineers, Julius G. Geise, Jr., WHAT, Alan Muncey, WCAU, and Willard Botts, WIP, have been drafted. . . . Jim McCann, formerly with WINS, has joined WPEN, Philadelphia, as announcer, replacing Tom Livezy, resigned. . . . William Dyer has resigned from WCAU to handle baseball broadcasts for WCMB, Baltimore.*

• • •

Four New York salesmen for WOR and two in Chicago won bonuses for exceeding their sales quotas. The local men were Robert Garver, George Schmidt, Robert Smith and Otis Williams. Harold Higgins and John Shelton were the Chicago salesmen.

• • •

Attending NAB Convention: Additional executives who have indicated that they will attend the NAB convention in St. Louis next week are Herman Bess and Wallace Duncan, WNEW vice-presidents, and A. D. Willard, Jr., WJSV, Washington, general manager. . . . Annette Marantz of the WOR Artists Bureau has left to handle entertainment details for the annual banquet.

• • •

Program News: *Warren Norge Co. is sponsoring "Music of Today" three times weekly on WABC. . . . A new 15-minute Sunday feature over WLW, Cincinnati, called "Pulse of the Press" features quotations from leading newspaper editorials. . . . P. Lorillard Co. has renewed Clem McCarthy's sports broadcasts over WHN for an additional 13-week period. . . . Portland Federal Savings & Loan Association is sponsoring Arthur Hale's "Confidentially Yours" over WGRC, Louisville, Ky. . . . Texas Co. has offered the 85-station CBS hookup used for the Fred Allen show to the Government's Defense Bond promotion program for 13 weeks during Allen's Summer layoff.*

Rush Work on CBC Toronto Transmitter

TORONTO, May 7.—Work is being rushed on the construction of the new transmitter for Station CBY, one of two broadcasting units of CBC here, the new plant being located outside of the city at Cooksville, 18 miles from the municipal limits. CBY will continue to operate on a frequency of 1,010 kilocycles but the power is being stepped up from 100 to 1,000 watts.

CBC is laying the foundation for a short wave transmitter in eastern Canada to be equipped with four 50,000-watt units similar to the BBC station at Davenport, England. This station, which is to be erected as a war project, will cost upwards of $2,000,000, it is intimated by C. B. Howe, Federal Minister of Munitions.

Stations in Mexico Maintain Neutrality

MEXICO CITY, May 7.—Strict neutrality with regard to the war is being maintained by Mexican radio stations as a result of their winning a long dispute with some of their best advertisers, the French, Germans and British, that in a neutral country radio cannot be used for propaganda.

The Confederation of Mexican Workers is keeping German and Italian propaganda off the air. The Ministry of Communications and Public Works, supervisor of radio in Mexico, is watching so closely that there is practically no war propaganda being broadcast.

Radio Apparatus on Expanded OPM List

Washington, May 7.—Radio sending and receiving apparatus of all types today were placed on an expanded priorities critical list by the Office of Production Management. Previously, only items designed to meet military specifications were included. Articles on the list are subject to Army and Navy preference rating certificates, allocating the order in which Government contracts shall be filled.

To Quiz Royal May 19

John F. Royal, NBC vice-president, yesterday was ordered by N. Y. Supreme Court Justice Ernest E. L. Hammer to appear for examination before trial May 19 in connection with NBC's suit against MBS, 20th Century Sporting Club and Gillette Safety Razor Co. The suit involves an alleged prior contract by NBC-Blue for broadcasts of Madison Square Garden fights.

RCA Gets RKO Dividend

On May 1, RCA, as holder of 44,757 shares of RKO preferred, received a dividend payment of $2 a share, totaling $89,514. This was revealed in the annual statement made by David Sarnoff, RCA president.

Radio Dispute On Ascap Pact Grows Wider

(Continued from page 1)

a telegram to President Roosevelt advising him that the majority of Mutual stockholders regarded the FCC monopoly report "on the whole, sound and highly commendable for its thoroughness, fairness and long range enlightened vision."

Referring to the scheduled visit of Mark Ethridge, *Louisville Courier-Journal* general manager, to the White House, McCosker and Macfarlane denied that he represented the great proportion of Mutual affiliates and independent non-network stations. The new regulations, they said, bring "an opportunity for genuine competition, free of excessive control and domination heretofore exercised over the entire industry by two other national network companies."

Moving on another front, Fred Weber, Mutual general manager, called a meeting of all his network's affiliates for Saturday afternoon in St. Louis. Weber is hopeful that he can obtain a majority vote from his affiliates at that time in order to put Ascap music back on the network over the weekend. Weber referred to "elements in the industry" who seek to forestall action on Ascap and expressed a desire to push his own network's deal with Ascap through before the NAB convention opens on Tuesday.

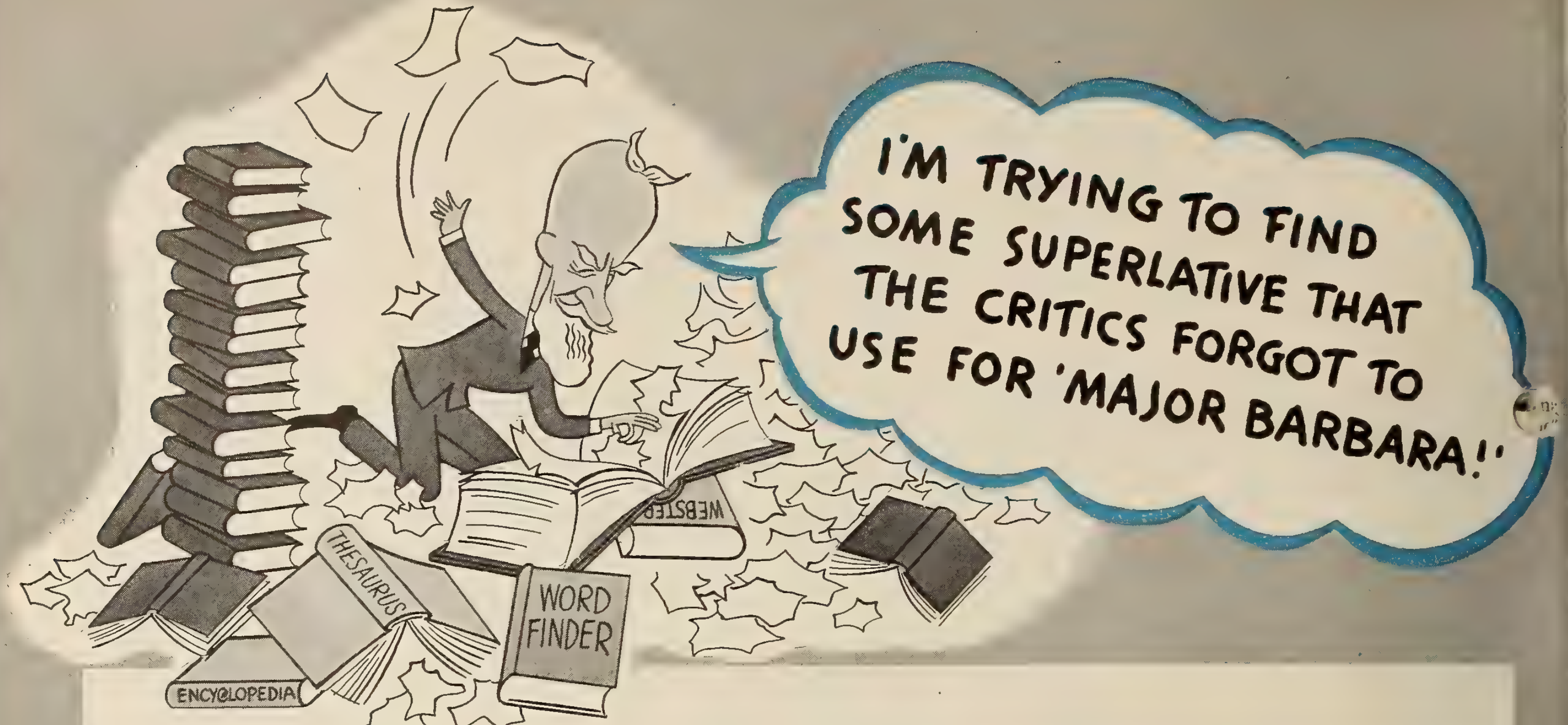
Meanwhile, John Shepard III, head of the Colonial Network, Mutual's New England link, sent a long letter to Mutual affiliates bitterly attacking the proposed deal with Ascap and setting forth objections to the licensing agreement. Shepard is a shareholder and director of Mutual.

Among the objections cited by Shepard were that the "per program" contract offered by Ascap to individual stations did not comply with the consent decree because of a provision for cancellation if the amount paid is less than two per cent of a station's net revenue; that there was no provision for use of both Ascap and non-Ascap music on the same program; that accountings are unduly burdensome; that Ascap gives insufficient guarantees about maintaining its repertoire; that Ascap can cancel the "per program" contract if its revenues drop one per cent below the three per cent required for a blanket contract, while revenues must rise two per cent before the station can cancel "per program" and adopt a blanket contract; and that insufficient deductions are permitted in determining net revenue as contrasted with gross.

Shepard stressed that he did not wish to be put in a position of trading with Ascap for individual station licenses after Ascap music was back on the air through the network.

CBS Votes Dividend

The CBS board of directors yesterday declared a dividend of 45 cents a share on the Class A and B stock of $2.50 par value, payable June 6 to stockholders of record May 23.


I'M TRYING TO FIND SOME SUPERLATIVE THAT THE CRITICS FORGOT TO USE FOR 'MAJOR BARBARA!'
WEBSTER
THESAURUS
WORD FINDER
ENCYCLOPEDIA

"For the second time Gabriel Pascal has supplied the trade and public with a **FINE** film, as entertainment and as a production."
— *Motion Picture Daily*

"A picture with **BEAUTIFUL** precision and polish. Robert Newton is **SENSATIONAL.** To sum it up, it's a **BRILLIANT** Picture!"
— *Louella O Parsons, International News Service*

"**DELIGHTFUL** diversion . . . may be expected to follow closely the precedential business set by 'Pygmalion' ".
— *Daily Variety*

"**DELIGHTFUL** comedy, **SUPERLATIVE** cast!"
— *Hollywood Reporter*

"Even better than 'Pygmalion' It should be a **BOX-OFFICE SENSATION!**"
— *Jessie Henderson, Baltimore Sun*

"As **DELIGHTFUL** and **WITTY** as if it had been made in Utopia!"—*Virginia Wright, Los Angeles News*

"Add **SUPERB** performances and **BRILLIANT** direction to Shaw's keen wit and 'Major Barbara' emerges not only as a **GREAT** motion picture but as an **IMPORTANT** film event."
— *Paul Harrison, N.E.A Service*

"**A DISTINGUISHED** successor to 'Pygmalion'!"
— *Douglas Churchill, Redbook Magazine*

"Brilliantly directed and produced by Gabriel Pascal, producer of 'Pygmalion', George Bernard Shaw's **FAMOUS** play comes to the screen as a **MOVING** and **COMPELLING** drama. Shaw at his **BEST.** Each member of the cast gives a **POWERFUL** performance. An **OUTSTANDING** production."
— *Showman's Trade Review*

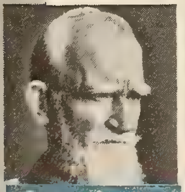
"**A MAJOR** attraction, **SUPERB** from beginning to end and should rival the **BOXOFFICE** records of 'Pygmalion'."
— *Jay Emanuel Publications*

"Pascal - Shaw - Hiller combination scores again. Shavian wit delights; production and cast **HIGH CLASS.**"
— *Film Daily*

"You should see 'Major Barbara'!"
— *James Francis Crow, Hollywood Citizen News*

"A masterpiece that tops 'Pygmalion'. A **MUST-SEE** picture!"
— *George Fisher, Mutual Network*

"A bevy of **MAGNIFICENT** performances. It will undoubtedly be highly placed by critics whose sentiments and reactions are sure to be shared by the more discerning patrons of motion pictures."
— *Associated Publications*


George Bernard
SHAW

Gabriel
PASCAL

Wendy
HILLER

THE INCOMPARABLE 3
who gave you "Pygmalion"

GABRIEL PASCAL producer of "PYGMALION"
presents
GEORGE BERNARD SHAW'S

MAJOR BARBARA

Starring
WENDY HILLER
REX **HARRISON** · ROBERT **MORLEY**
co-starring **ROBERT NEWTON**
with EMLYN WILLIAMS · Sybil Thorndyke
Directed and Produced by GABRIEL PASCAL
Released thru UNITED ARTISTS

Gala Premiere FOR BENEFIT OF ROYAL AIR FORCE BENEVOLENT FUND
TUESDAY, MAY 13th, ASTOR THEATRE, NEW YORK CITY

Alert,
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to the Motion
Picture
Industry

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V L. 49. NO. 91 NEW YORK, U. S. A., FRIDAY, MAY 9, 1941 TEN CENTS

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M. P. PRODUCERS &
DISTRIBUTORS OF AM., INC
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Theatre Size Television to Bow Tonight

Film Heads Will Attend Showing by RCA

RCA's new theatre size television reception will have its "world premiere" at the New Yorker Theatre this evening before an audience of theatre executives, radio, sports and newspaper personalities. About 1,000 are expected.

The pictures will be received on a 15 by 20-foot screen.

The opening number will be a news broadcast and interviews by Lowell Thomas, who will use diagrams and maps to prove the value of vision to a discussion of the news. This will be followed by a round table discussion on theatre television.

Participants in the round table discussion will include W. G. Van Schmus, managing director of the

(*Continued on page* 8)

Canada Tax Now to Be Effective May 19

OTTAWA, May 8.—The date the new 20 per cent tax on motion picture receipts becomes effective has been changed to May 19. This decision was announced by Finance Minister Ilsley following representations made by large operators, who claimed they were unable to make necessary ad-

(*Continued on page* 6)

Senator Approves FCC Radio Report

Washington, May 8.—The first formal Congressional comment on the FCC monopoly report was made today by Senator Josh Lee of Oklahoma, who gave the report his unqualified approval.

"I believe this is in the interest of free radio," he told the Senate. Thus far, few members of Congress have been willing to express any views on the report, some explaining that it dealt with matters so technical that extensive study would be necessary before they could reach a decision.

Hot Weather Cuts Grosses on Coast

Los Angeles, May 8.—Independent theatres report their business down by as much as 20 per cent in the last two days as a result of a heat wave which has sent thousands to the beaches and other resorts. The circuits also report a business slump. The heat wave has broken a 46-year record, with the mercury yesterday soaring to 97 degrees from Tuesday's 92. Today's temperature was comparatively as high.

'Kane' Broadway's Big Hit, Scoring $25,000 at Palace

"Citizen Kane" is Broadway's biggest hit. In its first six and one-half days, this RKO picture is reported to have garnered fully two and a half times the usual average weekly gross of the RKO Palace. The picture is estimated to have grossed in that period $25,000 on its two-a-day performance at $2.20 top. The evening performances have been S.R.O. and the matinees have been unusually strong.

Another big grosser is "Ziegfeld Girl" which on its second week garnered an estimated $25,000 at the Capitol. The Strand, where "The Great Lie" completed a four-week run last night, is estimated to have grossed $26,000 in its fourth week with

(*Continued on page* 6)

Five Consenting Firms Eliminated From Schine Suit

BUFFALO, May 8.—The Department of Justice today filed an amended complaint in the Schine Circuit antitrust suit in Federal District court here, in which the five consenting companies in the New York antitrust action are eliminated.

Filing of the amended complaint resulted from an order by Federal Judge John Knight two weeks ago on application of Universal, United Artists and Columbia, defendants with the Schine Circuit in the action here.

Indications here are that the Government still is entertaining thoughts of bringing the Schine action to trial as the first of its actions against large regional circuits, despite the fact that a trial date could not be obtained in the local Federal court before September, whereas the suit against the Crescent Amusement Co. already is docketed for trial in Federal court at Nashville on July 7. Judge Knight has instructed the Department to advise him by next week if the Schine case is to be tried first.

3 Branch Operation Meetings Set by 'U'

Universal has scheduled three regional meetings for home office branch operations executives, office managers, exchange and district bookers and traveling auditors.

The first will be held at the Ambassador Hotel, Atlantic City, today and tomorrow; the second May 16

(*Continued on page* 6)

Mayer Tops 1940 Salaries At $697,048, SEC Reports

WASHINGTON, May 8.—Motion picture executives, production heads, directors and players continue to rank among the best remunerated persons in the country, it was shown today in a survey of many hundreds of corporation reports filed with the Securities and Exchange Commission.

Louis B. Mayer, vice-president of Loew's, Inc., in charge of production, retained his rank in 1940 as the nation's highest paid executive with a salary of $697,048. Mayer's remuneration was $8,677 more than in the previous year.

Loew's report showed also that Hunt Stromberg received $332,267 as supervisor of production and Nicho-

(*Continued on page* 6)

Halifax, Jones to Variety Club Meet

ATLANTIC CITY, May 8.—Viscount Halifax, British Ambassador; Jesse Jones, Secretary of Commerce and chairman of the Reconstruction Finance Corp., and Senator Tom Connally of Texas have accepted invitations to attend the national Variety Club convention here May 15-17. The arrangements were made by Carter Barron of Washington.

Senator Connally will be one of the chief speakers at the banquet which will close the three-day convention Saturday evening. It has been estimated that approximately 1,300 will attend the convention.

62 Arbitration Cases on File At 24 Boards

Only 7 Boards Now Have No Complaints

Arbitration complaints of record increased to 62 at 24 local boards yesterday with the filing of the first cases at the Salt Lake City and Memphis tribunals. Only seven of the industry's 31 local boards now remain without a complaint on file. The Midwest, with four of the seven boards without complaints, leads in this respect.

Midwest tribunals which have received no complaints are Des Moines, Indianapolis, Kansas City and Omaha. The Pacific Coast is next with no complaints in either the San Francisco or Seattle boards. Atlanta is the seventh tribunal with no case on record.

On April 1, at the end of the arbitration system's first two months of operation, there were 38 complaints on

(*Continued on page* 6)

'U' Realigns Studio Production Setup

HOLLYWOOD, May 8.—Universal today announced the realignment of its entire production and studio executive setup as planned at recent conferences here attended by Nate J. Blumberg, president; J. Cheever Cowdin, chairman of the board; William A. Scully, general sales manager; Cliff Work, studio head; Matty Fox and other executives.

Producer Milton H. Feld will concentrate exclusively on high budget pictures, including Abbott and Costello vehicles and the Mayfair Productions program, the latter in collaboration with Jules Levey. Working with Feld in his unit will be producers Vaughn Paul, Glenn Tryon and Alex Gottlieb. Other pictures to be made by this group are "Mermaid in Dis-

(*Continued on page* 6)

In Today's Issue

"Shadows on the Stairs" is reviewed on Page 6. Key city grosses, Pages 6 and 8. Fred Weber urges prompt action on Mutual-Ascap contract, Page 8.

Coast Flashes

Hollywood, May 8

COLUMBIA'S new season short subject program will be discussed at the home office next week. Jules White, the company's short subject producer, will leave for New York over the weekend to confer on setting up the schedule.

•

Maurice Silverstone, chief of United Artists world-wide operations, plans to remain here another week before returning to New York.

•

A. W. Hackel of Supreme Pictures Corp. will make two pictures for Monogram release next season, it was announced today. These are "Murder by Appointment" and "The Man with Many Faces," which will replace "The Fighting Cadet" and "Night Edition," which were previously scheduled.

•

N. P. Pery is visiting at the studio before leaving for Sydney to establish offices as Columbia's supervisor in Australia and the Far East.

Beverly Schnitzer Weds Here June 15

Beverly Schnitzer, daughter of Edward M. Schnitzer, Eastern district manager for Warners, and Owen Lightstone of Montreal will be married here June 15 at the Waldorf-Astoria Hotel. Lightstone is the owner of the Orpheum Theatre in Montreal, and is the son of the late Joseph Lightstone, owner of Montreal theatres.

Personal Mention

NATE J. BLUMBERG, Universal president, is scheduled to arrive from the Coast today. J. CHEEVER COWDIN, board chairman, will remain on the Coast several days more.

•

R. B. WILBY and H. F. KINCEY are in town for Paramount home office conferences.

•

ED KUYKENDALL went to Washington yesterday. He is scheduled back here early next week.

•

TRACY BARHAM, general manager of Paramount's Midhio-Southio Theatres Corp., is in town.

•

MRS. LARRY SCHANBERGER, wife of the owner of Keith's Theatre, Baltimore, is recovering from a major operation at Mercy Hospital.

•

WILLIAM NUTILE, formerly of the New Haven Paramount exchange, now in the Army, is home on a month's sick leave.

•

SHIRLEY GERELL of the New Haven RKO exchange is vacationing in Louisville.

•

SAMUEL HACKER has returned from Chicago.

ARTHUR W. KELLY, United Artists vice-president and distribution chief, and STEVE PALLOS, Eastern representative for ALEXANDER KORDA, will arrive from the Coast on an American Airlines plane today.

•

C. C. PETTIJOHN and DAVE PALFREYMAN of the M. P. P. D. A. are in Washington.

•

LEON BACH, general manager of the Rome Theatres, Baltimore, is in Atlantic City.

•

HARRY HERMAN, manager of the Fireman's Theatre, New Hampton, Ia., has recovered from a streptococcus infection.

•

BARRY GOLDMAN, owner of United Theatres, Baltimore, is visiting Atlantic City.

•

VIVIAN KRIENKE, now MRS. EHRHARDT, secretary to ANDREW SHARICK, Universal accessories sales manager, was tendered a farewell luncheon at the Victoria Hotel yesterday. She is retiring.

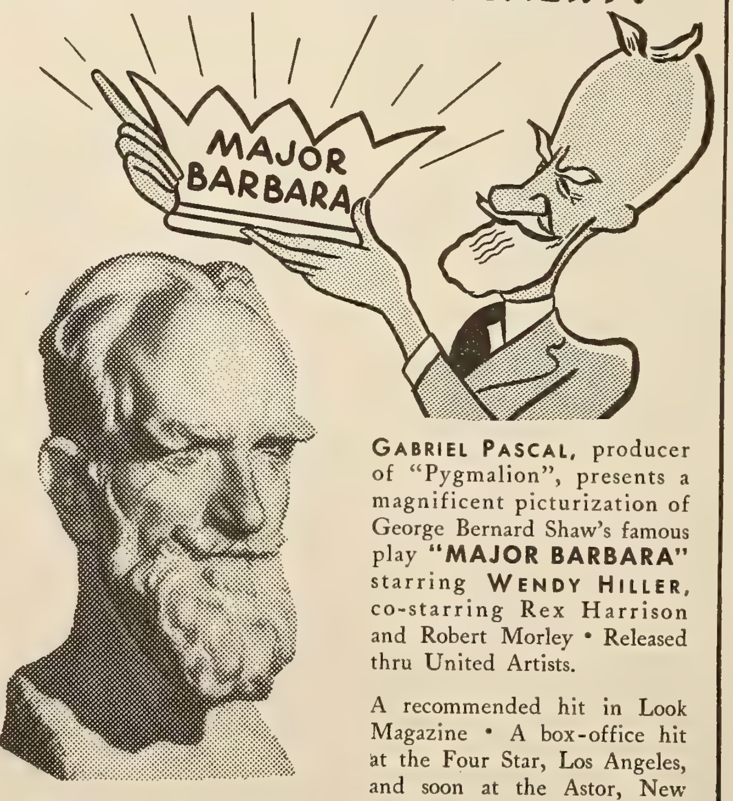
•

MILDRED COBURN, of the Des Moines Columbia exchange is vacationing at Brooklyn, Ia.

To Show Readers' Film

"Inside Outside Reading," 16 mm. film produced by the Screen Readers Guild of New York will be shown May 16 at the Newspaper Guild Club here.

GEORGE BERNARD SHAW'S CROWNING ACHIEVEMENT!



GABRIEL PASCAL, producer of "Pygmalion", presents a magnificent picturization of George Bernard Shaw's famous play **"MAJOR BARBARA"** starring **WENDY HILLER**, co-starring Rex Harrison and Robert Morley • Released thru United Artists.

A recommended hit in Look Magazine • A box-office hit at the Four Star, Los Angeles, and soon at the Astor, New York City.

Building Plans in Canada Protested

OTTAWA, May 8.—A resolution of protest against any large-scale theatre building program in Canada has been received here by Finance Minister Ilsley from the Edmonton Branch of the Canadian Corps Association.

The corps members have asked the Finance Minister to refuse permission for such a project. The members state they have heard reports that a circuit of theatres, including two in Edmonton, will be built this year.

The resolution, which was passed unanimously, said the use of steel and other products in such a project would be "contrary to the needs and necessities of the times" and inconsistent with the national salvage campaign.

Shift Personnel of Para. Phila. Office

PHILADELPHIA, May 8.—William Schwartz, formerly with Ross Federal Service, has joined the local Paramount exchange as booker, replacing Merton Nason, resigned. At the same time, George Kelly, former shipper who has been serving as booker temporarily, becomes a regular member of the booking staff, being assigned the Comerford-Publix circuit upstate and other accounts in that area, formerly held by Nason. Schwartz will be given the Harrisburg territory.

Photographers Elect

All Aumuller of the *World-Telegram* has been elected president of the Press Photographers Association. Joseph Costa of *Daily News* is first vice-president, Joseph Heppner of Metropolitan Photo Service is second vice-president, and Jimmy Sileo of Cosmo-Sileo has been reelected board chairman.

Newsreel Parade

SECRETARY OF WAR STIMSON'S radio talk to the nation on the convoy issue is outstanding among the many war and defense subjects in the weekend issues. Hank Greenberg, baseball star, being inducted into the army is another highlight. The contents:

MOVIETONE NEWS, No. 70—Stimson and Knox speak on convoys. Premier Menzies of Australia arrives here. Parade in San Francisco's Chinatown. Helicopter plane endurance record set in Connecticut. Anthony Eden in Greece. Britain's King and Queen view ruins. Londoners dance while wearing gas masks. Fastest plane in Burbank. British style show in Rio de Janeiro. Greenberg bids farewell to baseball.

NEWS OF THE DAY, No. 268—Knox and Stimson on the convoy issue. Fastest plane in Burbank. Menzies arrives. Igor Sikorsky sets new helicopter record. South American admirals in Norfolk. British styles in Rio. Londoners dance while wearing gas masks. Greenberg joins the army. Archery meet at Bear Mt., N. Y.

PARAMOUNT NEWS, No. 73—Labor holiday in Brazil; Douglas Fairbanks, Jr., on goodwill tour; British fashions in Rio. Bombers for Britain and fastest plane in Burbank. Sikorsky in record helicopter flight. Greenberg drafted. Stimson, Knox, Wheeler, Lindbergh and Willkie give views on convoys.

RKO PATHE NEWS, No. 73—Menzies arrives. Stimson urges convoys. South American naval officers in Norfolk. British-bound bombers in Burbank. British models in Rio style show. Helicopter record set by Sikorsky. War heroes return to Australia. Greenberg in the army. Soccer at Madison Square Garden.

UNIVERSAL NEWSREEL, No. 978—Stimson urges convoys. Fort Dix troops in review. South American naval officers in Norfolk. Fastest plane tested in Burbank. Menzies arrives. Selassie returns to Ethiopian throne. Sikorsky sets new helicopter record. Soccer at Madison Square Garden. Greenberg in the army.

Theatre Defense Committee Meets

The theatre committee of the industry national defense committee held a luncheon meeting at the Plaza Hotel yesterday with Joseph Bernhard, chairman, presiding. Only routine organizational matters were discussed, it was stated following the meeting.

Among those in attendance in addition to Bernhard were: Sam E. Morris, Max Cohen, Ed Kuykendall, Harry Brandt, L. E. Thompson, Leonard Goldenson, C. C. Moskowitz and George Skouras.

MOTION PICTURE
DAILY
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Monogram

MARCHES ON

FEATURES 56 WESTERNS

1941 1942

"NAVY BOUND"

Talbert Josselyn's story published in COLLIER'S MAGAZINE

★

"UNDER NORTHERN LIGHTS"

Featuring the immortal melodies..."At Dawning" and "From the Land of the Sky Blue Water"...*by Charles Wakefield Cadman*

★

4 "EAST SIDE KIDS" COMEDY-DRAMAS

Leo Gorcey, Huntz Hall and Bobby Jordan...in a series of box office champions...each featuring an adult star.

In preparation:

"GHOSTS of the NIGHT" *starring* **BELA LUGOSI**

★ ★ ★

"AUNT EMMA PAINTS THE TOWN"
"THE SPY"
"NIGHT OF HORROR"
"HOUSE OF HATE"
"YOU CAN'T BEAT THE LAW"
"TOP SERGEANT MULLIGAN"
"DOWN MEMORY LANE"
"HERE COME THE MARINES"
"TRAIL OF THE WOLF"
"SWEETHEART OF THE CAMPUS"
"LOST LEGION"
"SWEET SIXTEEN"
"LAW OF THE JUNGLE"

"SUNSHINE SAL"
"ISLE OF LOST MEN"
"MAN FROM HEADQUARTERS"
"MURDER BY APPOINTMENT"
"FALSE COLORS"
"HILL-BILLY WILLIE"
"LIL LOUISIANA LADY"
"GOD'S COUNTRY AND THE LAW"
"FLAME FIGHTERS"
"MAN WITH MANY FACES"
"CAROLINA SWINGTIME"
"CITY LIMITS"
"RIOT SQUAD"

MONOGRAM MPC PICTURES

★ ★

8 *ROUGH RIDERS* *with* **BUCK JONES**

8 *RANGE BUSTERS with* CRASH **CORRIGAN** · DUSTY **KING** · ALIBI **TERHUNE**

JOHN WAYNE in **8** Reissued **ACTION WESTERNS**

"PENNY SERENADE'S"

Continues...

★ 3rd WEEK **ST. LOUIS** ★ 3rd WEEK **SAN**

★ 3rd WEEK **ATLANTA** ★ 3rd WEEK **WASH**

★ BOSTON ★ CLEVELAND

★ BALTIMORE ★ CINCINNATI

★ HOUSTON ★ NEW HAVEN

★ SPRINGFIELD, MASS. ★ HARTFORD

★ WATERBURY ★ SPRINGFIELD, IL

"PENNY SERENADE" IS SETTING TH

HOLDOVER PARADE

RANCISCO ★ 3rd WEEK SEATTLE

GTON ★ 3rd WEEK LOS ANGELES

★ DETROIT ★ BUFFALO

★ NEW ORLEANS ★ OMAHA

★ WORCESTER ★ LONG BEACH, CAL.

★ PORTLAND, ORE. ★ OAKLAND, CAL.

★ PORTLAND, ME. ★ STEUBENVILLE, O.

PACE FROM COAST TO COAST!

COLUMBIA PICTURES

'Great Lie' Is Boston Lead With $17,200

BOSTON, May 8.—"The Great Lie," coupled with "Knockout," gave the Metropolitan $17,200. "Nice Girl?" and "The Man Who Lost Himself" in the second week at the Keith Memorial took $13,500.

Estimated receipts for the week ending April 30-May 3:

"Dark Streets of Cairo" (Univ.)
"The Great Train Robbery" (Rep.)
"Federal Fugitives" (P. R. C.)
"Break the News" (Mono.)
KEITH BOSTON — (3,200) (28c-33c-44c-55c-65c) 4 days, 3 days with vaudeville including Edith Fellows, Wilbur Evans, Les Juvelys, Eddie White, Marie Bartell and the Williams Brothers. Gross: $8,900. (Average, $8,000)

"Nice Girl" (Univ.)
"The Man Who Lost Himself" (Univ.)
KEITH MEMORIAL — (2,907) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $13,500. (Average, $16,000)

"The Great Lie" (W. B.)
"Knockout" (W. B.)
METROPOLITAN — (4,367) (28c-39c-44c-55c) 7 days. Gross: $17,200. (Average, $15,500)

"That Night in Rio" (20th-Fox)
"Shadows on the Stairs" (W. B.)
PARAMOUNT — (1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $6,700. (Average, $7,500)

"That Night in Rio" (20th-Fox)
"Shadows on the Stairs" (W. B.)
FENWAY — (1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $4,500. (Average, $4,500)

"The Road to Zanzibar" (Para.)
"Dead Men Tell" (20th-Fox)
SCOLLAY — (2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $4,000. (Average, $4,000)

"Ziegfeld Girl" (M-G-M)
"Blondie Goes Latin" (Col.)
LOEW'S STATE — (3,000) (28c-33c-44c-55c) 7 days, 2nd week. Gross: $12,700. (Average, $12,000)

"Ziegfeld Girl" (M-G-M)
"Blondie Goes Latin" (Col.)
LOEW'S ORPHEUM — (2,900) (28c-33c-44c-55c) 7 days, 2nd week. Gross: $16,900. (Average, $17,500)

3 Branch Operation Meetings Set by 'U'

(Continued from page 1)

and 17 in Chicago, for Southern and Midwestern representatives, and the last May 23 and 24 in Los Angeles, for Western representatives. F. T. Murray, branch operations manager, will preside at all three meetings, with J. J. Jordan, contract sales manager.

At Atlantic City will be: Jack Bannan, assistant to F. J. McCarthy, Eastern sales manager; J. H. Murphy of the branch operations department; Fred W. Franke, George Jacoby and T. V. McCue, auditors; George Pennecke and H. K. Perry, district bookers; Nat Goldberg and Leo Simon, New York bookers; A. J. Marchetti, Albany; Bernard Jacon, Atlanta; J. E. Callahan and E. M. Feltman, Boston; Carl Heerdt, Buffalo; Joseph Bishop, Charlotte; Ferdinand Fortunato, Moe Koppelman, Philadelphia; Peter Quiter, Pittsburgh, and Oscar Blumenthal, Washington.

2 Companies Formed

ALBANY, May 8.—Two new companies incorporated here are the Grenart Operating Corp., New York, by Susanne Groves, Benjamin R. Raphael and George Blake, and Classic Features Theatre, Inc., New York, by Freda Jarrett, Esther Bergman and Philip F. Jacobs.

Feature Review

"Shadows on the Stairs"

(Warners)

THIS murder mystery, originally a play, takes place almost entirely within the confines of a London lodging house in 1937. Three murders are committed. The owner of the house finally confesses to two, while the other is known to be the work of one of the lodgers, an Indian. In a surprising ending, all concerned are assembled in the living room while one, a young writer, reads the final chapter in his new play. Thus it is explained that all the foregoing in the film is an enactment of that play.

Some aspects of the story are shrouded in such complete mystery that the film is not always fully comprehensible. This is especially so in the early sequences as the foundation is being developed. However, the subsequent developments build in interest.

Paul Cavanagh and Frieda Inescort play important parts and support is by Heather Angel, Bruce Lester and others.

Running time, 63 minutes. "G."*

**"G" denotes general classification.*

Mayer Tops 1940 Salaries At $697,048, SEC Reports

(Continued from page 1)

las M. Schenck was paid $318,881 as president.

Universal Pictures reported paying W. C. Fields, $255,000; Deanna Durbin $209,833 and Bing Crosby $150,000.

Another report showed that David Sarnoff received $100,900 as president and James G. Harbord $60,940 as chairman of the board of Radio Corporation of America.

Annually, each corporation whose securities are registered with the SEC is required to submit a report showing, among other things, the three highest salaries paid. The reports are now coming in to the commission at the rate of a hundred or more a day.

62 Arbitration Cases on File At 24 Boards

(Continued from page 1)

file in 17 boards. One month later the total was 58 cases in 21 boards.

The first Salt Lake City complaint was brought by J. H. Moran, operator of the Royal at Laurel, Mont., and the Park at Red Lodge, Mont., against Paramount, 20th Century-Fox and Warners on clearance. The Roman Theatre at Red Lodge is named as an interested party.

The first Memphis complaint was filed by V. D. Guest, operator of the Camden Theatre, Camden, Ark., and asks "some run" of Loew's.

Papayanakos Hearing Will Be Continued

ALBANY, May 8. — The clearance complaints of Alex Papayanakos, America Theatre, Canton, against Warners and RKO were adjourned until next week after today's arbitration session. The hearing will be resumed probably May 13 or 14.

Canada Tax Now to Be Effective May 19

(Continued from page 1)

justments immediately and had asked for an extension.

Officials of the Department of National Revenue said the change in dates would not complicate matters greatly since only a few small theatre operators in outlying districts had started collecting the tax.

The money collected by the smaller theatres, some of which already has been forwarded to the Revenue Department, will be retained by the Government because it would be impossible to return it to the theatre patrons, officials state. The larger theatre operators now are working on plans for a special "war ticket" to embody the tax.

'Kane' Broadway's Big Hit, Scoring $25,000 at Palace

(Continued from page 1)

Jimmy Dorsey and his band on the stage. This figure is reported as one of the biggest fourth weeks at the theatre. "The Wagons Roll at Night" was previewed at the Strand last night.

"That Uncertain Feeling" at the Radio City Music Hall completed its first week with $79,000, the stage show being a condensed version of "Madame Butterfly," which received fair acclaim from the town's music critics.

At the Roxy, "The Great American Broadcast," plus a stage show, scored $39,600 on its first week which ended Wednesday night. At the Globe, "Girl in the News" is expected to draw $6,000 in the first week, ending tonight. It will be held.

Reduces May Prices

FAYETTE, Ia., May 8.—The Fayette Theatre here has reduced admission prices for Wednesday and Thursday nights during the month of May to 20 cents.

'Zanzibar' in Seattle Takes Good $8,500

SEATTLE, May 8.—"Road to Zanzibar" at the Paramount took a strong $8,500 to top the town. "Penny Serenade" took $7,900 at the Liberty. [illegible] first week of night baseball brought competition. The weather was fair and warm.

Estimated receipts for the week ending May 3:

"That Night in Rio" (20th-Fox)
"Sleepers West" (20th-Fox)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,400. (Average, $4,000)

"The Great Dictator" (U. A.)
"Dead Men Tell" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,700. (Average, $7,000)

"Penny Serenade" (Col.)
"Break the News" (Mono.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days. Gross: $7,900. (Average, $5,000)

"Men of Boys Town" (M-G-M)
"Scattergood Baines" (RKO)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,200. (Average, $4,000)

"Back Street" (Univ.)
"Her First Romance" (Mono.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $5,400. (Average, $6,000)

"Back in the Saddle" (Repub.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Smiley Burnette in person. Gross: $5,600. (Average, $5,000)

"Road to Zanzibar" (Para.)
"The Penalty" (M-G-M)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days. Gross: $8,500. (Average, $6,000)

'U' Realigns Studio Production Setup

(Continued from page 1)

tress," "Hellzappoin'," "Hold on to Your Hats" and "Butch Minds the Baby."

Jack Gross with producer-writer-director George Waggner and Joseph Bernhard, Jr., will be made responsible for an increased number of top flight productions. The first will be a W. C. Fields vehicle, "Never Give a Sucker an Even Break"; "Bad Lands of Dakota," "The Yukon Trail," "The Ghost of Frankenstein," "The Wolf Man" and "Captive Wild Woman."

Milton Schwarzwald has been assigned to work with Ken Goldsmith as producer on Hugh Herbert vehicles, the Dead End Kid-Little Tough Guy group and a series of popular musical romances. Joe Gershenson, also known as Joseph G. Sanford, steps into a supervisory post, working with Paul Malvern, Marshall Grant and Will Cowan on "idea" pictures, Johnny Mack Brown westerns, and two-reel musicals. Ben Pivar will head a unit producing seven pictures to star Dick Foran, Leo Carrillo and Andy Devine. Henry MacRae will continue to produce serials.

The entire group of producers and supervisors will continue to clear through the studio's executive committee, which includes Dan Kelley and Martin Murphy.

Wives to See 'Press'

Monogram will screen "Roar of the Press" for wives of newspapermen at the Preview Theatre next Tuesday.

NEW BEAUTY

SUPERB photography distinguishes modern screen productions. Dramatic lighting and interesting camera angles receive stimulating support from the high quality and unvarying uniformity of Eastman negative films—each an expert in its field. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
Fort Lee Chicago Hollywood

PLUS-X
for general studio use

SUPER-XX
when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Weber Urges Prompt Action On Ascap Deal

Fred Weber, Mutual general manager, yesterday asked his network affiliates "to prevent the other elements of the 'industry' from attaining leadership" in the Ascap matter and urged a prompt and favorable decision on the proposed Mutual-Ascap deal.

In answering objections raised by John Shepard III, head of the Colonial Network, Mutual's New England affiliate, Weber asserted that Shepard's objections do not question the reasonableness of the license fees to be paid.

Instead, Weber declared, Shepard's objections deal with the matter of making arrangements, negotiation of single station licenses, and the alleged violation of the Ascap consent decree. All these issues, Weber added, should not prevent approval of the network's proposed license.

Weber, without mentioning BMI specifically, declared that "other licensing organizations" intend to reduce their licensing fees. He stressed that the network estimates that Ascap music fees will be 40 per cent less for four years and 33 1/3 less during the remainder of the contract.

MBS affiliates will meet in St. Louis tomorrow afternoon for a final vote on acceptance or rejection of the proposal. Weber is hopeful of putting Ascap music back on Mutual before the National Association of Broadcasters convention opens on Tuesday.

Bill Would Permit Pa. Sunday Shows

HARRISBURG, Pa., May 8.—Identical bills have been introduced in the Pennsylvania Assembly and Senate to permit Sunday films after 2 P. M. in any municipality within a radius of 10 miles of any Army camp. The measures, introduced by Assemblymen Martin F. Kenahan and Harry P. O'Neill and Senator John H. Dent, are viewed by Sunday film opponents as an effort to nullify the effect of referenda in Harrisburg and other spots where Sunday films have been banned.

The bill is in the form of an amendment to the present Sunday referendum law and has been referred to the Law and Order Committee in each body. If the amendment is adopted theatres here would be permitted to open on Sunday despite the referendum of last November, since there are three military posts located near the city. The measure is seen as an answer to the problem of providing entertainment on Sundays for the soldiers from nearby camps.

K. C. Circuit Sets Meeting on May 15

KANSAS CITY, May 8.—Commonwealth circuit managers will convene here at the Hotel Continental May 15, to prepare for their annual King of the Sun Drive.

Fabian Sponsors Opera for Albany

Albany May 8.—Si Fabian's sponsorship of the trip here this week of the Metropolitan Opera Company to render "La Boheme" resulted in a 3,500 audience and a $10,000 gross for the performance.

The performance was at Fabian's Palace. The affair was a gesture of goodwill to the city's music lovers.

'Ziegfeld' Draws $14,000, St. Louis

ST. LOUIS, May 8.—"Ziegfeld Girl" led the city with $14,000 at Loew's State, while the dual bill, "Road to Zanzibar" and "That Night in Rio," grossed $4,900 in its third week at the Missouri.

Estimated receipts for the week ending May 1:

"Ziegfeld Girl" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $14,000. (Average, $13,000)
"Penny Serenade" (Col.)
"Mr. District Attorney" (Rep.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $11,000. (Average, $11,500)
"Road to Zanzibar" (Para.)
"That Night in Rio" (20th-Fox)
MISSOURI—(3,514) (30c-40c-50c) 7 days, 3rd week. Gross: $4,900. (Average, $4,000)
"The Flame of New Orleans" (Univ.)
FOX—(5,038) (30c-40c-50c) 7 days. Eddy Duchin and his band on the stage. Gross: $10,000. (Average, $11,000)
"Ride on, Vaquero" (20th-Fox)
"Dead Men Tell" (20th-Fox)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,800. (Average, $2,600)

'Adam' at $15,300 Leads in Newark

NEWARK, May 8.—Business continued fair during a spell of prematurely warm weather, with RKO Proctor's the only local house to make a showing. "Adam Had Four Sons" and "Ride on, Vaquero" garnered $15,300.

Estimated receipts for the week ending April 30-May 2:

"Model Wife" (Univ.)
"Flight from Destiny" (W. B.)
WARNER'S BRANFORD—(2,840) (15c-28c-33c-44c-55c-66c-75c) 7 days. Gross: $14,600. (Average, $14,000)
"Adam Had Four Sons" (Col.)
"Ride on, Vaquero (20th-Fox)
RKO PROCTOR'S—(3,389) (20c-33c-44c-55c-66c-75c) 7 days. Gross: $15,300. (Average, $14,500)
"Charlie Chaplin Festival" (Guaranteed)
LITTLE—(299), (33c-44c-55c) 7 days, 2nd week. Gross: $700. (Average, $1,800)
"Topper Returns" (U. A.)
"The Bad Man" (M-G-M)
LOEW'S STATE—(2,589) (28c-33c-44c-55c) 7 days. Gross: $13,800. (Average, $13,500)
"Road to Zanzibar" (Para.)
PARAMOUNT-NEWARK—(2,200) (15c-28c-33c-40c-55c-75c) 7 days, 3rd week. Gross: $12,000. (Average, $13,750)

Ratner Leaves CBS For Lord & Thomas

Victor M. Ratner, vice-president in charge of sales promotion for CBS, yesterday announced his resignation, effective today. He will join Lord & Thomas in an executive capacity. Frank Stanton, CBS director of research, temporarily will assume charge of sales promotion in addition to his present duties.

Ratner joined the network 10 years ago and had been in charge of sales promotion for the last five years. He was named a vice-president last year.

Acoustics Topic As SMPE Meeting Ends

ROCHESTER, May 8.—With a session on projection this morning and a general technical session this afternoon, the Society of Motion Picture Engineers today concluded its four-day annual Spring convention at the Sagamore Hotel here.

The session opened this morning with a report of the theatre engineering committee by A. N. Goldsmith, chairman, followed by a projection practice symposium. Several papers on projection and projection equipment were read during the session.

The afternoon was devoted largely to a discussion of acoustical problems, with a description of a new acoustic device by its originator, Dr. Harold Burris-Meyer of the Stevens Institute of Technology. The device is known as an "acoustic envelope," by which an artist is able to hear himself, and so determine how his work is being heard by the audience. W. L. Thayer of the Paramount Studio described the studios' efforts to improve acoustics on indoor and outdoor sound stages, and Adolph Goodman of the RCA Sound Service Division discussed the importance of theatre acoustics.

The sharpness of television images was considered by W. M. Baldwin, Jr., of Bell Telephone Laboratories, who explained the experiments conducted to compare the sharpness of television and motion picture images.

'Ziegfeld' Garners $14,000 in Buffalo

BUFFALO, May 8.—"Ziegfeld Girl" and "Strange Alibi" drew a strong $14,000 at the Great Lakes. "Road to Zanzibar" and "Free and Easy" scored $6,400 in the second week at the Hippodrome.

Estimated receipts for the week ending May 3:

"The Great Lie" (W. B.)
"Tho Roundup" (Para.)
BUFFALO—(3,489) (30c-55c) 7 days. Gross: $10,800. (Average, $12,000)
"Ziegfeld Girl" (M-G-M)
"Strange Alibi" (W. B.)
GREAT LAKES—(3,000) (30c-55c) 7 days. Gross: $14,000. (Average, $7,500)
"Road to Zanzibar" (Para.)
"Free and Easy" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $6,400. (Average, $6,800)
"Bringing Up Baby" (RKO)
"Rookies on Parade" (Rep.)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $6,000. (Average, $7,500)
"The Devil Commands" (Col.)
"The Face Behind the Mask" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $4,800. (Average, $6,300)

Defense Matinees in Phila. Area Spread

PHILADELPHIA, May 8.—Defense matinees for workers in defense industries continue to spread in the neighboring territories. First of the early afternoon shows was introduced this week in Bethlehem, Pa., by Harold Hirschberger, manager of the Palace, and at Milleville, N. J., by Harry Orlow, manager of Warners' Levoy.

At Milleville, Orlow has planted cards at all industrial plants in the area calling attention to the fact that workers on late afternoon shifts can see a complete show before reporting for duty.

Theatre Size Television to Bow Tonight

(*Continued from page* 1)

Radio City Music Hall; Thomas F. Joyce, vice-president in charge of sales for RCA Manufacturing Co.; Col. John R. Kilpatrick, president of [illegible]son Square Garden; Larry S. MacPhail, president of the Brooklyn Dodgers baseball team; Frank Leahy, Notre Dame University football coach; Gene Sarazen, golf professional; George H. Bull, president of the Saratoga and Jamaica racetracks, and John F. Casey, union official.

A dramatic playlet, "The Parker Family," with Leon Janney, Helen Claire, William Lynn, Violet Heming and Taylor Holmes, will follow and a newsreel film from NBC will complete the studio presentation.

To See Garden Fight

The feature of the premiere will be a telecast of the Billy Soose-Ken Overlin middleweight championship fight directly from the Garden. Lucy Monroe will close the program with the national anthem.

Industry executives who have indicated they will attend include Barney Balaban, Ned Depinet, Col. Nathan Levinson, Maj. Albert Warner, Joseph Hazen, Joseph Bernhard, Nicholas M. Schenck, David Bernstein, C. C. Moskowitz, Joseph R. Vogel, W. C. Michel, Spyros Skouras, Jack Cohn, Abe Schneider, Fred Ullman, Jr., A. H. Blank, E. C. Beatty, Harry Brandt, Si Fabian, Herman Robbins, Pat Casey, Jules Brulatour. A. D. Lasker and Herbert Bayard Swope and other prominent persons are expected to be present.

2 FM Stations Are Approved by FCC

WASHINGTON, May 8.—The FCC has issued construction permits for FM stations to the Evening News Association, Detroit, and WBNS, Columbus, O., with authority to operate a 3,000-watt transmitter for a period of 60 days, and also granted a permit to the Baton Rouge Broadcasting Co., Inc., Baton Rouge, La., all without prejudice to its determination of the newspaper issue.

Pending disposition of the proposed newspaper-ownership policy, however, the commission ordered placed in the pending file an application of the Evening News Press, Inc., for a new 1,450-kilocycle, 250-watt station at Port Angeles, Wash.

Two construction permits for regular broadcasting stations were granted by the commission, Tacoma Broadcasters, Inc., obtaining approval for a new 1,490-kilocycle, 250-watt station, and Michael J. Mingo for a 1,430-kilocycle, 500-watt station, both at Tacoma, Wash.

Club Ball Tomorrow

BALTIMORE, May 8.—Over 5,000 tickets have been sold for the local Variety Club's Preakness Ball to be held Saturday night. Vincent Lopez and his orchestra and Raymond Scott and his band, will provide music for the dancing. C. W. Hicks is head of the Baltimore Variety Club.

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and
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Industry

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First in
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Brief,
Accurate
and
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L. 49. NO. 92 NEW YORK, U. S. A., MONDAY, MAY 12, 1941 TEN CENTS

Trade Gives $110,000 for Jewish Appeal

Film Campaign Opens at Astor Luncheon

Approximately 400 film industry leaders, gathered at the Hotel Astor on Friday for the annual luncheon of the Amusement Division of the United Jewish Appeal for refugees and overseas needs, contributed $75,000 toward this year's campaign.

The Amusement Division to date has contributed a total of $110,000 of its quota of $300,000, drive headquarters reported.

Barney Balaban, David Bernstein and Major Albert Warner were hosts at the luncheon. Balaban is treasurer of the committee, and Bernstein and Warner are co-chairmen. The principal address was made by Rabbi Abba Hillel Silver of Cleveland, noted religious leader and national chairman of the appeal.

Bernstein pointed out that three organizations are assisted by the funds raised by the United Jewish Appeal.

(Continued on page 4)

12 Variety Clubs to Enter Golf Tourney

Atlantic City, May 11.—More than 12 local Variety Clubs have sent in their entries for the championship golf tournament to be held here in conjunction with the National Variety Club convention next Thursday, Friday and Saturday. The tournament will be held Saturday.

The clubs which have entered teams thus far include Washington, Indianapolis, Memphis, Pittsburgh, Cincinnati, Columbus, Dallas, St. Louis, Cleveland, Philadelphia, Detroit and Minneapolis.

Ascap Music Returns On Mutual Tomorrow

St. Louis, May 11.—Ascap music is scheduled to be back on the Mutual network Tuesday night as a result of approval of the Mutual-Ascap agreement by an 86-to-46 vote by station affiliates late today. This does not bind individual stations, who are free to adopt or reject Ascap's contract.

Jackson Weighs FCC Report on Monopoly

Washington, May 11.—"Active consideration" is being given the FCC radio monopoly report by the Department of Justice, Attorney General Robert H. Jackson said Friday. However, he declined to speculate on whether the Justice Department study would lead to the initiation of anti-trust proceedings. The report had been sent to the Department by FCC Chairman James L. Fly without reccomendation.

Important Topics At NAB Meeting Today in St. Louis

St. Louis, May 11.—With music, the FCC monopoly report, defense and the broadcasting code the principal order of business, the annual convention of the National Association of Broadcasters will get under way formally here tomorrow with radio executives from all over the country attending.

The board of directors will meet today to take a stand on the monopoly report. Whatever decision is taken is expected to be fought bitterly by opponents on the floor of the convention. The Ascap-BMI situation also will be fought out.

In his annual report, Neville Mill-

(Continued on page 14)

RENTAL TAX PLAN SEEN ABANDONED

Canadian Tax Stirs Protest Over Country

By THOMAS TURNER

Ottawa, May 11.—Repercussions are expected across Canada as a result of the new 20 per cent tax on admissions to film theatres, proposed by Finance Minister Ilsley in his recent budget speech in the House of Commons. Effective date of the new tax has been set for May 19.

Already several objections have been voiced against the tax. However, most of these have come from the Province of Quebec, where theatre patrons also pay a provincial and municipal tax.

Finance Minister Ilsley rejects Quebec plea for special exemption. See Page 4.

There is a widely held belief among members of all groups in the House of Commons that the tax is discriminatory, and it is believed likely that some change may be made to extend ap-

(Continued on page 4)

Kuykendall, Wood Stress Theatre Hardship; Ask No Tax Exemption

By BERTRAM F. LINZ

Washington, May 11.—Abandonment of the proposal to re-impose the World War film rental tax was seen tonight as likely, as a result of protests lodged with the House Ways and Means Committee Friday by Ed Kuykendall, President of the MPTOA, and P. J. Wood, secretary of the ITO of Ohio.

They told the committee that there was no apparent way in which the tax could be prevented from falling on the theatre owners, and that it would add to the burden imposed by the extension of the admission tax and the loss of a substantial number of their best patrons as a result of compulsory military training. The rental tax was designed to raise $12,000,000 annually.

Both recommended that the admission tax exemption be eliminated entirely, that exemption from tax be granted children's tickets of not exceeding 10 cents, and that the tax be extended to cover other amusements which now escape it, as had Abram

(Continued on page 4)

Film Trade Skeptical About Early Television in Theatres

By EDWARD GREIF

Large screen television in a theatre for the public will become a reality in June or July if existing negotiations are consummated, it was revealed Friday by Col. John Reed Kilpatrick, president of Madison Square Garden. If the next heavyweight fight is held in New York, a television showing will be held in a Philadelphia theatre, and if the fight is held in Philadelphia, it will be shown here.

Prices will be scaled from $2 to $5, it is understood. Kilpatrick, although stressing that the deal was still in the negotiating stage, made no effort to conceal his enthusiasm for the new medium.

The RCA large screen demonstration at the New Yorker Theatre Fri-

(Continued on page 12)

By SAM SHAIN

Is television ready for the theatre? RCA attempted to answer this question affirmatively the other night with an interesting exhibition for motion picture exhibitors, newspaper representatives, home office distributor executives, studio and technical experts. The consensus of a great many of the audience was that television undoubtedly will be developed for future theatre consideration, but that it was not yet sufficiently practical, from a standpoint of cost and product supply for theatre use.

This audience comprised many out-of-town showmen who came here, they said, at their own expense to see what the thing is all about.

In the RCA demonstration they wit-

(Continued on page 12)

Koerner, Fellerman Head RKO Theatres

Charles W. Koerner, Los Angeles division manager for RKO Theatres, on Saturday was appointed general manager of the circuit to succeed John J. O'Connor by George J. Schaefer, RKO president. It is expected that Max Fellerman will be promoted to succeed Fred Meyers as chief buyer and booker.

Koerner is scheduled to arrive in New York on Friday. In the business 30 years, Koerner joined the RKO circuit 10 years ago as Southwest division manager. Later he was in charge of Northern New York and following this became New England division head. He went to the Coast five years ago.

Walter Vincent Named President Of Actors Fund

Walter W. Vincent was elected president of the Actors Fund of America at the annual meeting at the National Theatre on Friday. Vincent, who has been vice-president of the Fund since 1930 and a life member since 1914, is head of the Wilmer & Vincent Circuit and chairman of the board of Republic Pictures Corporation.

Walter Vincent

This was the first time in 37 years that the Fund had elected a new president. The election of a new head was necessitated by the death last December of Daniel Frohman, who had been president since 1904. Vincent at the meeting paid tribute to Frohman's devotion to the Fund.

Others elected were: First vice-president, Harry G. Sommers; second vice-president, Katharine Cornell; treasurer, Sam A. Scribner; secretary, Robert Campbell. Lee Baker, George Christie, Sam Forrest, Marcus Heiman, Frank E. Henderson and Antoinette Perry were elected trustees for three years, and Lee Shubert for one year.

The treasurer's report for the fiscal year ended April 30 disclosed that the Fund received $166,409 and paid out $142,136, leaving a surplus of $22,273. Last year the Fund finished its 58th year with a deficit of $11,257.

Kingsberg Host at Party for Goldberg

Malcolm Kingsberg, executive vice-president of Keith-Albee-Orpheum, was host Friday evening at a surprise dinner party to Louis Goldberg, RKO Theatres division manager, at the City Athletic Club, in observance of the fourth wedding anniversary of Mr. and Mrs. Goldberg.

Kingsberg presented Goldberg a scroll signed by his business associates. Other guests included H. R. Emde, W. B. England, Max Fellerman, Tom Gorman, Harry Mandel, Charles B. McDonald, Mattie Polon and Sol A. Schwartz.

Ampa Meeting Is Set for Thursday

The first open meeting of the Ampa, under the new administration of Vincent Trotta as president, will be held in the Sun Room of the Hotel Edison on Thursday. The guest of honor will be Vyvyan Donner, fashion commentator for Movietone News, accompanied by several models and talent scouts from major companies. Frances Marie Burke, the present "Miss America," will appear.

W. B. Shifts Marshal

Frank Marshal, on the staff of Clayton Bond, chief film buyer for Warner Theatres, has been transferred with John Turner to assist Ed Hinchy in the booking and buying department in the Philadelphia zone.

Personal Mention

Louis B. Mayer is due here today for a physical checkup. He is accompanied by Laudy Lawrence and Howard Strickling.

•

Spyros Skouras, head of National Theatres, and his assistant, John Healy, arrived on the Coast over the weekend.

•

Edith Sussman of National Screen Service and Seymour Jonas of the 20th Century-Fox exchange, here, are to be married June 8. Miss Sussman is a sister of William Sussman, Eastern division manager for 20th-Century-Fox.

•

Arthur W. Kelly, United Artists vice-president and distribution head, arrived from the Coast by plane Friday.

•

Howard MacKenna has returned to Hollywood.

•

Roland Reed, RKO Pathe director, is in town for a 10-day visit.

•

William Eddy, Balaban & Katz television supervisor, is in New York from Chicago.

•

Ben A. Simon, New Haven branch manager for 20th Century-Fox, has left for a Florida vacation.

•

Evelyn Crowley of RKO's St. John, N. B., exchange has recovered from an accident.

John Balaban of B. & K. Theatres was in New York from Chicago over the weekend.

•

George Archibald, United Artists joint managing director for Great Britain, arrived from Europe by *Clipper* on Friday.

•

Nate J. Blumberg, Universal president, arrived from the Coast by train on Friday.

•

Pete Mayer left for the coast by plane over the weekend.

•

Jack Bloom, head of the 20th Century-Fox contract department, and Edwin H. Collins, assistant to William J. Kupper, returned from Atlanta over the weekend.

•

Edward Kimpel, Jr., office manager for the Rome Circuit, Baltimore, has recovered from a recent operation.

•

Al Bookspan of Fishman Theatres, New Haven, starts every day with a round of golf at 7 A.M.

•

Leo Ricci, operator of the Capitol, Meriden, Conn., is on a trip to Washington.

•

John E. Sinatra, manager of the Earle, Jackson Heights, L. I., has started a "bicycle club" for house employes. They go bicycling Saturday mornings.

Club in Milwaukee In Reorganization

Milwaukee, May 11.—The local Variety Club has reorganized. New officers are: Harry MacDonald, chief barker; John Kent and John Mednikow, assistant chief barkers; William Harmon, secretary, and Frank Mantzke, treasurer. Directors, in addition to the officers, include: Joseph Rosenfield, Eddie Spiers, Harry Perlewitz, M. D. Brazee, Howard Gleason and Jack Lorentz.

MacDonald said the club is planning a new policy of concentrating charitable activities on local needs instead of joining national Variety Club campaigns.

Quigley Trophy Is Presented to Loew's

The Quigley Publications sports trophy was presented on Friday to the Loew-M-G-M basketball team which won the 1941 motion picture league championship. A-Mike Vogel, chairman of the Managers Round Table of *Motion Picture Herald*, and Ted Husing, Paramount and CBS sports commentator, presented the trophy. Oscar Doob, advertising and publicity director for Loew's Theatres, and Marvin Schenck, Loew's Eastern talent head, accepted it for the team.

N. J. Allied Meeting In Newark May 20

New Jersey Allied has scheduled a full-day meeting for May 20 at the Hotel Cadillac, Newark. The program includes a luncheon, followed by a session in the afternoon and a beefsteak dinner in the evening. Lee Newbury will preside.

RKO Golf Tourney To Be Held May 20

RKO will hold its annual golf tournament at the Westchester Country Club, Rye, N. Y., on May. 20. The club's two courses will be used.

George Schaefer, president, heads the tournament committee, which includes Ned Depinet, Phil Reisman, Gordon Youngman, L. E. Thompson, R. C. Patterson, Malcolm Kingsberg, J. Henry Walters, Leon Goldberg and J. Miller Walker.

A feature will be a telegraphic match between the RKO Studio and the East, with eight on each team. The East will be represented by Depinet, A. W. Smith, J. Henry Walters, Harry Michalson, Robert Wolff, Harry Pimstein, Walter Seaton and Lou Miller.

Other committees are: Publicity, S. Barret McCormick, Rutgers Neilson, Harry Mandel, Jack Level, Ben Grimm, Maurice Harris and Al Adams; prizes, Dick Gavin, David Canavan, A. J. Kirwan, L. E. Gaudreau; prize award, J. Henry Walters, John Farmer, Dick Gavin, Charles McDonald, Tom O'Connor, Harry Mosley and William Kernan.

Named Dipson Booker

Buffalo, May 11.—Robert Murphy, formerly with the Shea circuit, has joined Dipson Theatres in Western New York as chief buyer and booker, with headquarters here.

Associates to Meet

Motion Picture Associates will have a luncheon meeting at the Hotel Lincoln on Thursday. Joseph Lee will preside.

Coast Preview Rift Is Still Unsettled

Hollywood, May 11.—The rift between studio publicity directors and 22 film correspondents and critics ended its sixth week today with the publicity men offering to discuss the points still at issue. The chief difference is the critics' insistence on earlier previews with two weeks' clearance between previews and release dates demanded

Industry Aiding Army Show Group

A group of prominent figures in the entertainment world have agreed to aid the national program of the Committee on Theatrical Entertainment of the Citizens' Committee for the Army and Navy in providing theatrical entertainment in Army camps. Vinton Freedley, Broadway play producer, and Robert E. Sherwood, the playwright, will supervise the schedule.

Serving with Freedley on the theatrical committee are Y. Frank Freeman, president of the Association of M. P. Producers and chairman of the Motion Picture Defense Committee; Edward Arnold, Screen Actors Guild president; Irving Berlin; Gene Buck, Ascap president; George M. Cohan; Bette Davis; Helen Hayes; Emily Holt, American Federation of Radio Artists executive secretary; Elsie Janis; Bert Lytell, Equity president; George Kaufman; W. S. Macfarlane, MBS president; Burns Mantle; William Morris, Jr.; W. S. Paley, CBS president; Bill Robinson; Billy Rose; Noble Sissle, Negro Actors Guild president; Jules Stein, Music Corp. of America president; Lawrence Tibbett, American Guild of Musical Artists president; Niles Trammell, NBC president, and Paul Whiteman.

Fox Wisc. Gets Writ On Soft Drink Sales

Milwaukee, May 11.—Circuit Judge Daniel W. Sullivan has issued a writ of mandamus ordering the city to grant the Fox Wisconsin Amusement Corp. a license to sell soft drinks The city contended a theatre was not a proper place for such sale.

MOTION PICTURE DAILY

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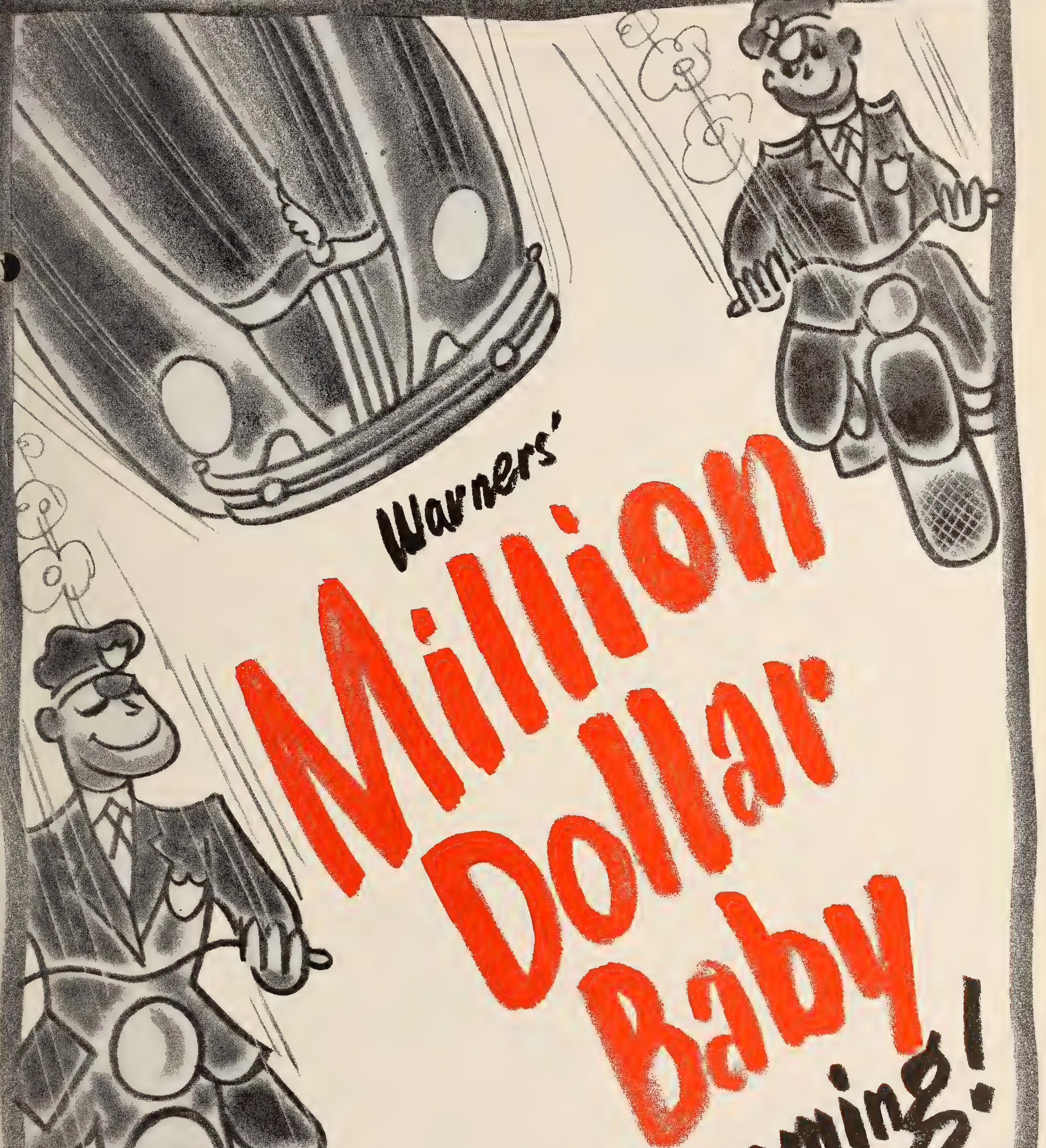

Warners'
Million Dollar Baby
is coming!

Tell them about it *now* with the **FREE** sound-track recording of "I Found a Million Dollar Baby", with special lyrics. A grand novelty as exit music, between shows, opening and closing house, etc. Then follow with the regular Trailer (it's *different*) to announce your DECORATION DAY SHOWING!

Minn. Law Test Postponed for More Changes

Application of six major companies for an injunction to restrain Minnesota authorities from enforcing the state's anti-consent decree law pending a test of its constitutionality will be deferred for a short time to enable home office attorneys to study the papers and make whatever revisions may be necessary, it was learned on Saturday.

Filing of the application originally had been scheduled for today but the need for haste was eliminated by the decision of Minnesota authorities not to enforce the measure pending a court ruling on the issuance of a temporary injunction.

Officials of Universal and Columbia will decide whether or not they will join in the action after studying the injunction application, it was said. The other six major companies have joined in the action.

Hazen Buys 1,000 Shares of Warner

Washington, May 11.—Only four motion picture corporations reported changes in March in the holdings of officers, directors and beneficial owners, according to the first semimonthly summary of the Securities and Exchange Commission.

The largest change was 1,700 shares of Warner Bros. Pictures common stock, bought by Joseph H. Hazen, executive, and representing his total interest at the close of the month.

Two 'U' Transactions

Two transactions were reported for universal Corp. Nathan J. Blumberg, president, selling 1,000 common voting trust certificates and Preston Davie, director, buying 300. At the close of the month, Blumberg held 12,000 and Davie 4,000 certificates.

Atlas Corporation strengthened its interest in Radio-Keith-Orpheum, acquiring 500 shares of preferred and bringing its holdings to 39,481 shares.

The only other transaction reported was the purchase of 38 shares of Loew's Boston Theatres common stock by Loew's, Inc., which held 117,958 shares at the close of March.

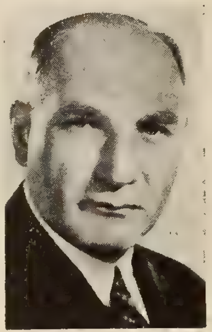
N. Y. Board Starts Plainfield Hearing

Hearing of the arbitration complaint of the Andora Amusement Co., Plainfield, N. J., against the five consenting companies was begun at the New York tribunal on Friday. It will be resumed on Wednesday.

Cincinnati Hearing May 14

Cincinnati, May 11.—Hearing of the clearance and run complaint of Willis H. Vance of Newport, Ky., against Paramount, Loew's, 20th Century-Fox and Warners was set for May 14 by Judge Stanley Matthews of the Court of Appeals here, who will be arbitrator. The case is the only one of record at the local board.

Trade Pledges $110,000 To United Jewish Appeal



Albert Warner

Barney Balaban

David Bernstein

(Continued from page 1)

These are the American Jewish Joint Distribution Committee, the United Palestine Appeal and the National Refugee Service. Another speaker was William Rosenwald, co-chairman of the Greater New York Committee.

The campaign for funds began on Friday and will extend until June 30.

Among the contributors of $1,000 or more at the luncheon were: William S. Paley, $20,000; David Bernstein, $12,500; Major Albert Warner, $12,500; Barney Balaban, $10,000; Mrs. Barney Balaban and children, $2,000; Jules Brulatour, $7,000; Herman Robbins, $2,500; Toby Gruen, $2,000; Jack Cohn, $2,000; Abe Schneider, $2,000; Louis Frisch and Sam Rinzler, $1,500; Joseph Hazen, $1,000; Sam Schneider, $1,000.

Dr. Silver, in an eloquent appeal for support for the drive, cited three major purposes to which the funds will be devoted this year. They were: assistance for 5,000,000 Jewish "casualties" in the dictator nations; assistance for needy refugees in the United States, and aid for those in Palestine, who, Dr. Silver reminded, soon may be actively involved in the war.

Canada Tax Stirs Protest; Quebec Plan Is Rejected

(Continued from page 1)

plication of the tax to other forms of entertainment.

Many members are of the opinion that if a theatre tax is to be levied, a similar tax should be put on sports events, such as baseball, hockey, wrestling, and dances and concerts, as well as motion pictures.

A full discussion of the tax is certain to arise when the Commons reaches the stage of considering the budget resolution in detail.

The only other special amusement tax in the budget was the new five per cent tax on race track betting.

Rejects Quebec Plea for Canada Tax Exemption

Montreal, May 11.—The request of Quebec exhibitors for a special exemption in the new Federal amusement tax on the ground that they already are paying a provincial amusement tax and surtax of 15 per cent has been rejected by Finance Minister Ilsley, Eugene Beaulac, secretary of Quebec Allied Theatrical Industries, was advised yesterday.

The exhibitors immediately sent a request to the provincial government of Quebec that the amusement taxes of the province be abolished or modified, as a result of the Federal action. The request has been taken under consideration by Treasurer Mathewson.

In denying a Federal tax exemption to the Quebec exhibitors, Finance Minister Ilsley gave the delegates to understand that if, by reason of the fact that the new Federal 20 per cent tax put the theatre out of the reach of many patrons financially, he personally favored lower theatre attendance.

The exhibitor committee had pointed out to Finance Minister Ilsley that in a province like Ontario, where there has been no provincial amusement tax, patrons might be able to absorb the new Federal tax which becomes effective May 19. However, in Qubec, where provincial amusement taxes already amount to 15 per cent, the new impost will result in a 35 per cent tax on admissions, greater than any entertainment tax in the world, it was said.

Robbins-Casanave Motion Is Decided

The Appellate Division of the N. Y. Supreme Court in a unanimous decision from the bench on Friday vacated the stay of arbitration proceedings involving the contract of Charles Casanave with National Screen Accessories. Herman Robbins, National Screen president, had sought arbitration to terminate Casanave's employment contract with the company.

The arbitration stay had been vacated about a week ago, and Friday's decision upheld that decision, after argument on Casanave's motion to reargue the decision.

Federal Tax On Rentals Is Held Unlikely

(Continued from page 1)

F. Myers, Allied general counsel, when he previously appeared. Kuykendall went a step further and urged that half-price tickets be taxed at the price at which sold and not on the regular admission.

Kuykendall pointed out that theatres giving reduced admissions to school children or men in unform are required by a Treasury ruling to collect tax on the regular admission, partly defeating the intent of the concession.

"The motion picture industry is quite willing to carry its full share of taxes, and is eager to do more than its share on national defense," he told the committee.

Cites Foreign Problem

"However, the industry is struggling with a serious problem caused by the unavoidable loss of a large part of its revenue and sales in the foreign market. Other industries have their difficulties by the loss of export business, it is true, but the inherent nature of a motion picture production makes our problem much more difficult."

Total elimination of the exemption, he said, will produce a revenue more than offsetting that proposed to be raised by rental tax, and more money still can be obtained by extending the admission tax to the competing amusements, which now are free of the levy, such as chance games, skating rinks and the like.

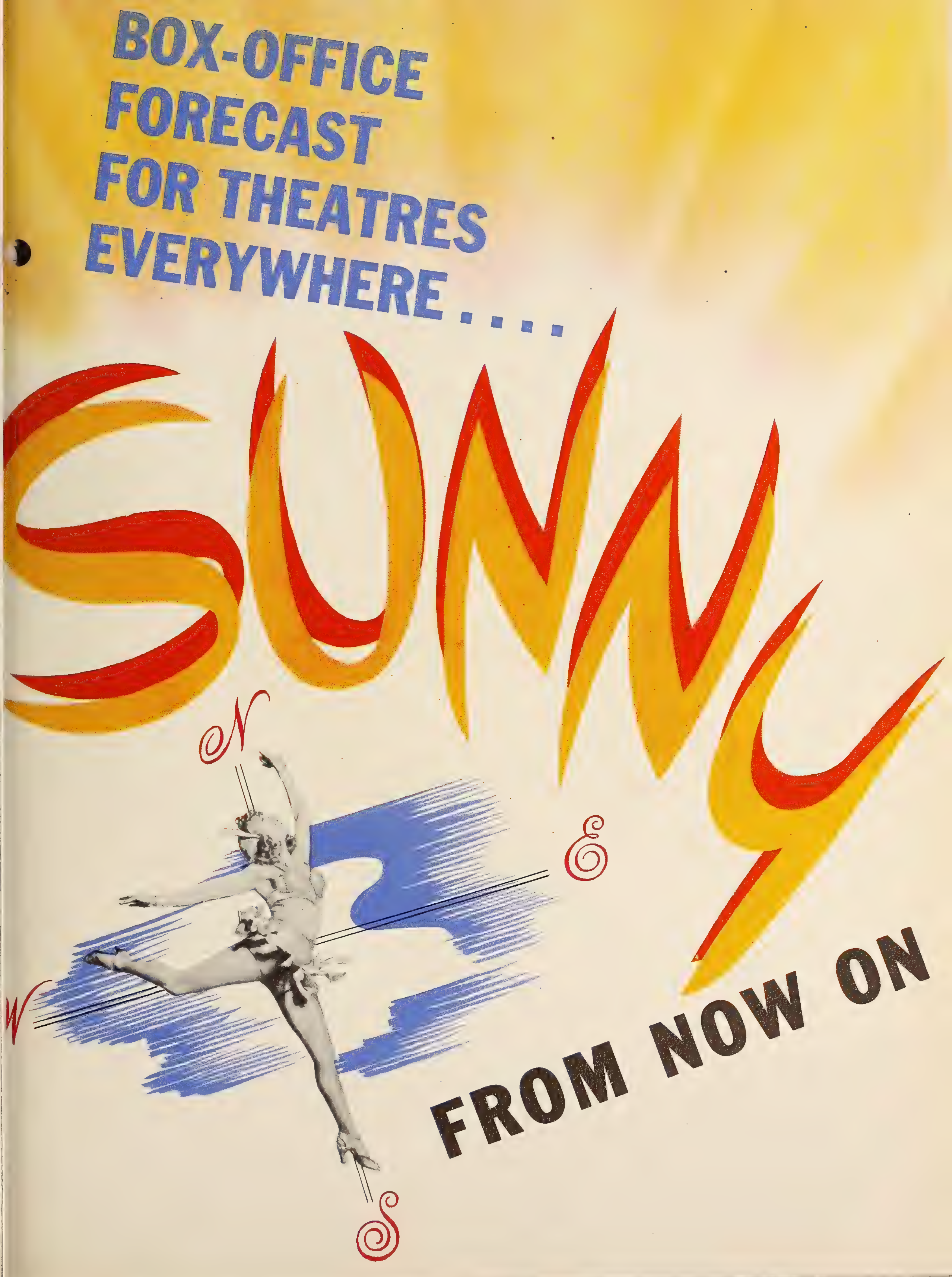
Exhibitors, he declared, "believe that in all fairness these competing 'amusements' should be taxed the same as their theatres are."

Untaxed amusements in the State of Ohio alone take in more than $15,000,000 a year, Wood estimated, and account for a "tremendous sum" throughout the country. Extension to such places of the admission tax, he argued, would return the Treasury far more than the $12,000,000 a year estimated for the rental tax.

Forecasts Heavy Loss

Wood estimated that the exhibitors will lose $26,000,000 a year as the result of the drafting of a million men for the Army. Further, he said, the exhibitors are not always able to pass on all admission taxes to their customers, especially in areas where state admission taxes are imposed on top of the Federal levy. All told, he estimated, the approximately $740,000,000 which the film theatres took in in 1940 will be reduced to $639,000,000 as a result of the defense program and conscription.

"It will be difficult enough for theatre owners to shoulder the burden of an admissions tax starting from the first penny and especially so if the present inequalities in Sec. 1701 of the Internal Revenue Code are permitted to remain," he said. "but even if this section is amended as suggested, it is palpably unfair to burden the motion picture theatre owner with a tax upon what he buys—film—as well as upon what he sells—admissions."


BOX-OFFICE
FORECAST
FOR THEATRES
EVERYWHERE....
SUNNY
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FROM NOW ON

THE SHOW THAT DAZZLED B'WAY NOW SPARKLES ON THE SCREEN

Super-entertainment

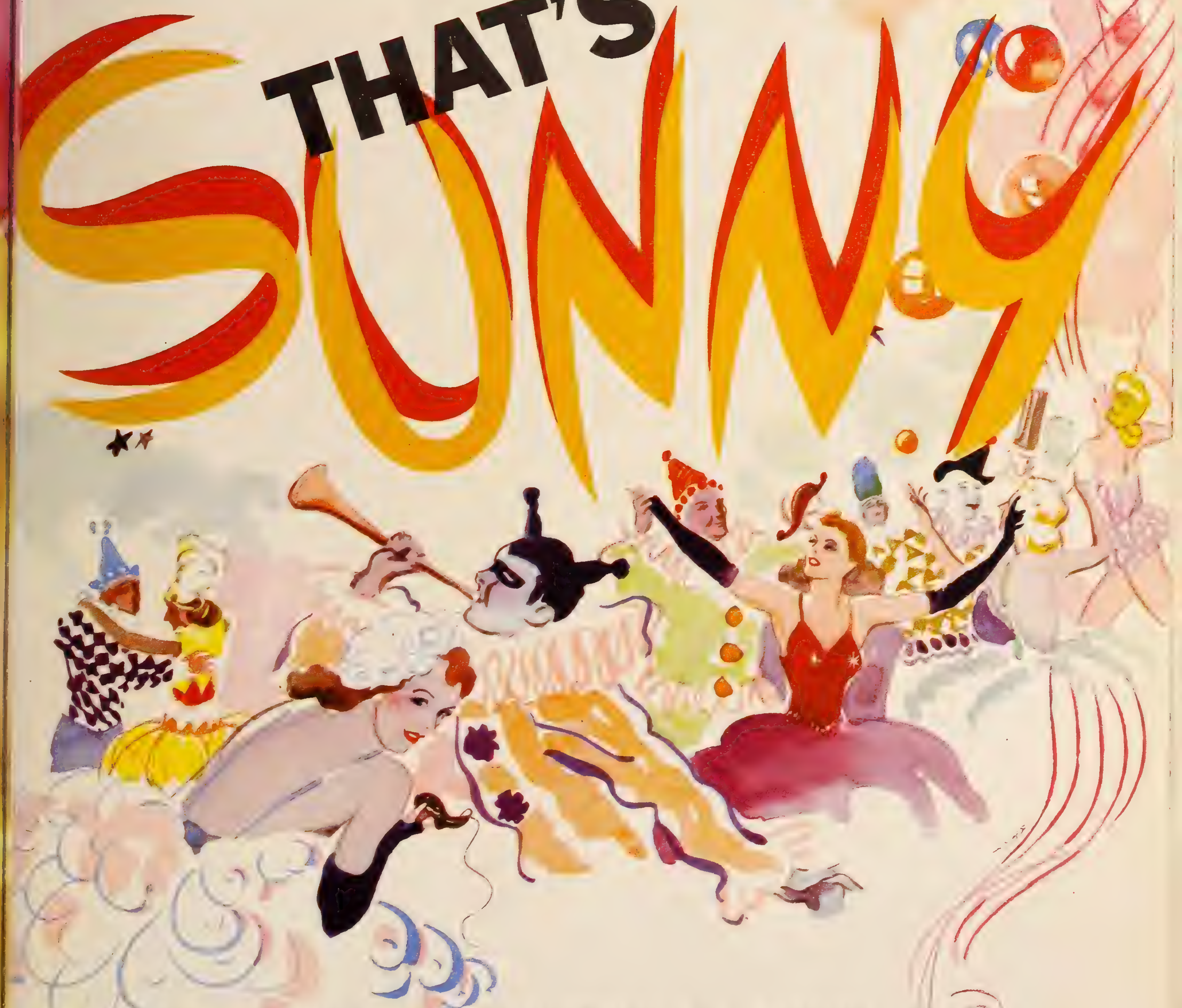
. . . of the kind your folks love best!...A gorgeous fun-and-flash show that's all aglow with the gaiety of New Orleans in Mardi Gras time! . . . Romance tuned to lilting heart-beats . . . Music by a famous composer . . . Dancing by a headline stepper – and by the world's funniest team. Laughs by a cast whose names speak for themselves!

Presenting four of the swingiest song hits ever written by

JEROME KERN

"Who?"—"D'Ya Love Me?"
"Sunny"—"Two Little Blue Birds"

ROMANCE that steals your heart away!
TUNE-HITS to make you dream all day!
LAUGHTER and dancing to make you gay!



THE GREAT BIG HAPPINESS SHOW NOW BOOKING AT RKO RADIO EXCHANGES!

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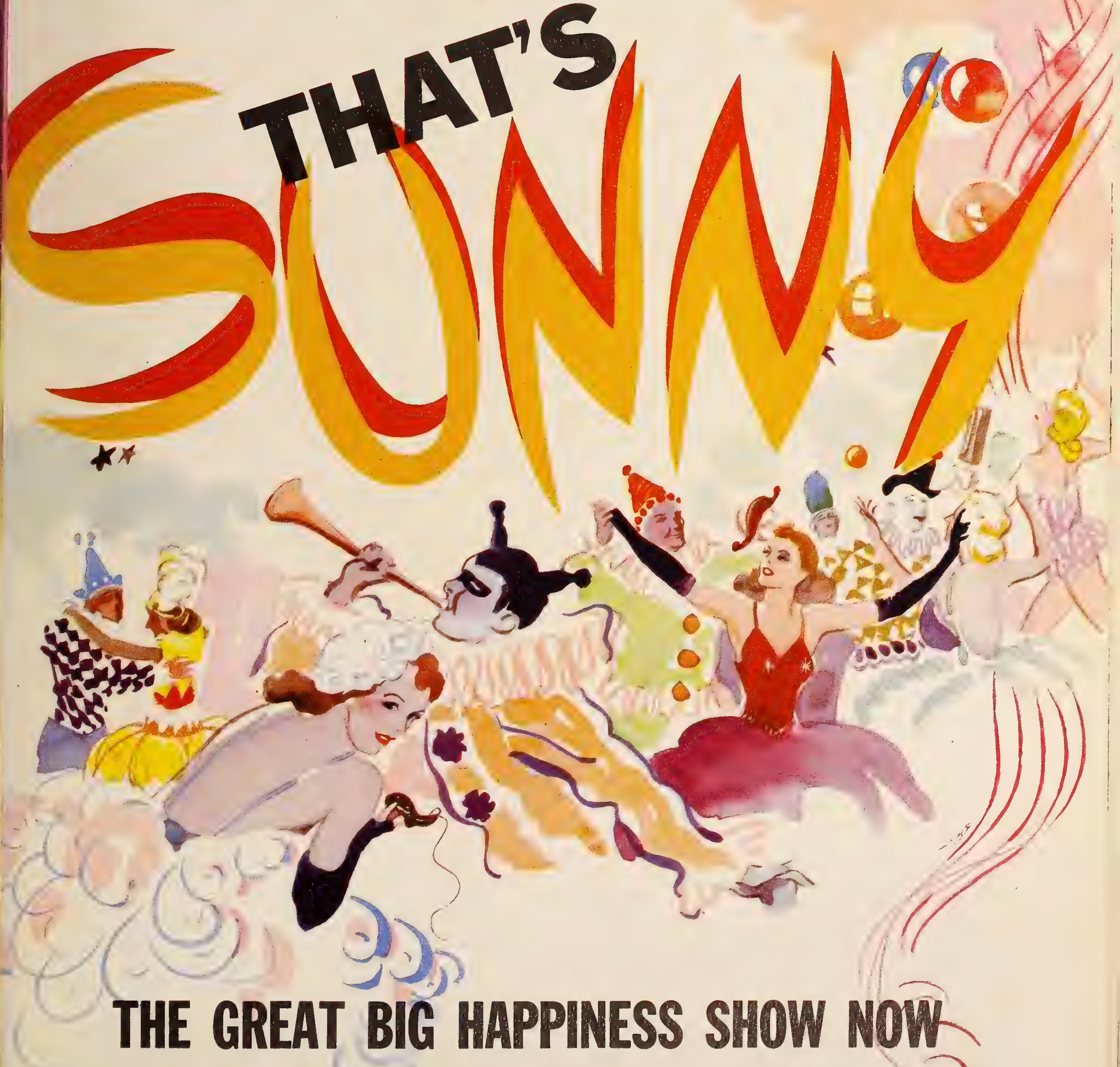

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ANNA NEAGLE

IN

SUNNY

WITH

RAY BOLGER
JOHN CARROLL
EDWARD EVERETT HORTON
FRIEDA INESCORT
HELEN WESTLEY
AND
THE HARTMANS

PRODUCED AND DIRECTED BY
HERBERT WILCOX
SCREEN PLAY BY SIG HERZIG • FROM THE MUSICAL COMEDY—"SUNNY"
BOOK AND LYRICS BY OTTO HARBACH AND OSCAR HAMMERSTEIN II

RKO RADIO PICTURES

. . . and in June another
"Kitty Foyle"

Word around Hollywood has it that Ginger Rogers has topped her "Kitty Foyle" Academy Award performance in "Tom, Dick and Harry," the hilarious comedy-romance with George Murphy, Alan Marshal and Burgess Meredith, which will hit the first runs in June. Directed by Garson Kanin, produced by Robert Sisk, and with original story and screen play by Paul Jarrico, it's being hailed by RKO Radio as the biggest picture to date from Ginger.

Drop Ladies Day; Theatres Happy

Cincinnati, May 11

EXHIBITORS anticipate at least a slight upturn in Saturday business due to the fact that Ladies' Day has been abandoned at the Crosley Baseball Field on Saturdays. This is the result of protests by local merchants, who complained that their business was being affected by the thousands of women who attended the national games.

'Wings' Is Smash $14,000 in Denver

DENVER, May 11.—The Denham drew $14,000 with "I Wanted Wings." At the RKO Orpheum, "Ziegfeld Girl" was good for $13,000.

Estimated receipts for the week ending May 6-9:

"The Sea Wolf" (W. B.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,300. (Average, $2,000)
"Men of Boys Town" (M-G-M)
"Footlight Fever" (RKO)
BROADWAY—(1,040) (40c-50c) 7 days, 3rd week. Gross: $2,900. (Average, $2,500)
"I Wanted Wings" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $14,000. (Average, $6,400)
"The Lady From Cheyenne" (Univ.)
"The Black Cat" (Univ.)
DENVER—(2,600) (25c-35c-40c) 7 days. Gross: $10,500. (Average, $6,700)
"Ziegfeld Girl" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $13,000. (Average, $6,700)
"Model Wife" (Univ.)
"A Shot in the Dark" (W. B.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,400. (Average, $3,800)
"That Night in Rio" (20th-Fox)
"The Great Swindle" (Col.)
RIALTO—(900) (25c40c) 7 days, 3rd week. Gross: $2,400. (Average, $2,100)

"Dictator" $7,500 Cincinnati Gross

CINCINNATI, May 11.—"The Great Dictator" had a big $7,500 second week at the RKO Grand, and "Penny Serenade" pulled $12,500 at the RKO Albee. Bob Crosby and his orchestra on the stage helped "The People vs. Dr. Kildare" to $12,000 at the RKO Shubert.

Estimated receipts for the week ending May 7-10:

"Penny Serenade" (Col.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $12,500. (Average, $12.000)
"Pot o' Gold" (U. A.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $7,000. (Average, $10.000)
"The People vs. Dr. Kildare" (M-G-M)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: Bob Crosby and orchestra. Gross: $12,000. (Average, $10,000)
"Road to Zanzibar" (Para.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,600. (Average, $5,500)
"The Great Dictator" (U. A.)
RKO GRAND—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $7,500. (Average, $5,000)
"The Devil and Miss Jones" (RKO)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $2,800. (Average, $4,500)
"Horror Island" (Univ.)
"Man Made Monster" (Univ.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Ellery Queen's Penthouse Mystery" (Col.)
"Border Vigilantes" (Para.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"The Great Lie" (W. B.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,900. (Average, $5,000)

Feature Reviews

"Country Fair"

(Republic)

THIS is apparently an effort to permit several popular radio specialists to exercise their talents on the screen, and as such, it provides moments of entertainment for the general audience.

The film is a nonsensical yarn, with accent on comedy, concerning the Gubernatorial campaign of two men, and the complicated romance of Eddie Foy, Jr., campaign manager for one, and June Clyde, working for the other. Guinn Williams plays a hillbilly mayor, and William Demarest is one of the candidates.

The radio entertainers, who are worked into the script to display their talents, are: Lulubelle and Scotty, who harmonize in country style, and effectively; Harold Peary, as the other candidate, and the "Gildersleeve" of the Fibber McGee and Molly radio program; Whitey Ford, known to radio as the Duke of Paducah, with hillbilly characterizations; the Vass Family and the Simp Phonies, an eccentric band.

Armand Schaefer acted as associate producer, with direction by Frank McDonald. Miss Clyde promises to marry Foy if his candidate wins, then works for the opposition in order to avoid the marriage, but Foy, after getting in and out of hot water with astounding regularity through a series of campaign stunts, finally persuades her that he is the right man.

Running time, 74 minutes. "G."* CHARLES S. AARONSON

"King of the Zombies"

(Monogram)

Hollywood, May 11.

TO the comedy talents of dark, diminutive Mantan Moreland, playing the only humorous role in the picture, this melodrama of zombies, maniacs, spies and voodoo owes many a laugh that, in the case of the studio preview, set it apart from and above the previous Lindsley Parsons productions for Monogram. In keeping his horror story strictly in earnest while superimposing upon it without hindrance the gags, gestures and gesticulations of the puckish Negro actor, the producer reaped a profit from both.

The story is about a tropic island dominated by a maniac who is also a foreign agent and whose practice of vodoo, hypnotism and the science of creating zombies is incidental to his quest of American military information. Crashing upon the island from their plane, two American flyers and their valet experience varied adventures before putting an end to the assassin and rescuing a captive officer.

Featured in the picture are Dick Purcell, Joan Woodbury, Henry Victor and John Archer, the cast including Patricia Stacey, Guy Usher, Marguerite Whitten, Madame Sul-te-wan and Jimmy Davis. Direction is by Jean Yarbrough.

Running time, 67 minutes. "G."* ROSCOE WILLIAMS

"Lone Rider in Ghost Town"

(Producers Releasing)

IN the customary manner, George Huston and Al St. John find new adventure in a mining district inhabited only by a group of swindlers.

The skullduggery comes in the form of claim-jumping and the abduction of a mining engineer who has discovered a rich deposit on the property of the crooks. He has an option to purchase that property and with Houston's nick-of-time assistance is able to exercise it.

The story structure is strictly routine on most counts. The film meets its quota in active fights and chases, in fair performances, but falls a bit short in technical respects, such as photography.

Running time, 64 minutes. "G."*

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*"G" denotes general classification.

Canada Preparing War Short Subject

OTTAWA, May 11.—"Ottawa at War" is the title of a new short subject now in the course of preparation by the Dominion Government Motion Picture Bureau, the Department of Public Information and the National Film Board.

Shots are being taken about Parliament Hill, and include scenes of the Commons and press gallery in action, as well as of members of the Government and Opposition Leader R. B. Hanson and other group leaders.

Hornblow, Loy to Coast

Arthur Hornblow, Jr., Paramount producer, and his wife, Myrna Loy, left for the Coast over the weekend on the TWA Stratoliner after a visit here.

Robert Taylor and Barbara Stanwyck left by TWA plane Saturday for Billings, Mont., en route to the Coast.

20th-Fox Alters Title

HOLLYWOOD, May 11.—"Weekend in Havana" is the new title of the 20th Century-Fox film previously known as "Honeymoon in Havana."

'Ziegfeld' Is Los Angeles' Best, $31,500

LOS ANGELES, May 11.—"Ziegfeld Girl" and "Dead Men Tell" scored a strong $31,500 at two theatres, with $14,500 at the Chinese and $17,000 at Loew's State. "Penny Serenade" in its second week took $7,500 at the Hillstreet and $8,000 at the Pantages.

Estimated receipts for the week ending May 6:

"Ziegfeld Girl" (M-G-M)
"Dead Men Tell" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $12,000)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 14th week. Gross: $7,200. (Average, $17,000)
"That Hamilton Woman" (U. A.)
4 STAR—(900) (44c-55c) 5 days, 7th week. Gross: $2,400. (Average: $3,250)
"Penny Serenade" (Col.)
"Meet Boston Blackie" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. "Serenade", 2nd week. Gross: $7,500. (Average, $6,500)
"Ziegfeld Girl" (M-G-M)
"Dead Men Tell" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $17,000. (Average, $14,000)
"Penny Serenade" (Col.)
"Meet Boston Blackie" (Col.)
PANTAGES: (3,000) (33c-44c-55c-75c) 7 days. "Serenade", 2nd week. Gross: $8,000. (Average, $7,000)
"Road to Zanzibar" (Para.)
"The Man Who Lost Himself" (Univ.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. "Zanzibar", 3rd week. Stage. Dr. I. Q. Gross: $12,000. (Average, $18,000)
"The Great Lie" (W. B.)
"The Case of the Black Parrot" (W. B.)
WARNER BROS. (HOLLYWOOD)—(3,000) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $10,000. (Average, $14,000)
"The Great Lie" (W. B.)
"The Case of the Black Parrot" (W. B.)
WARNER BROS. (DOWNTOWN)—(3,400) (33c-44c-55c-75c) 7 days, 2nd week. Gross: $10,800. (Average, $12,000)

'Hamilton Woman' $17,000, Baltimore

BALTIMORE, May 11.—The best business went to "That Hamilton Woman" which drew $17,000 at the Century. With the exception of "Sis Hopkins" which took $7,000 at the New, all other pictures were holdovers.

Estimated receipts for the week ending May 8:

"That Hamilton Woman" (U. A.)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $17,000. (Average, $10,000)
"Flame of New Orleans" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $8,000. (Average, $9,000)
"Sis Hopkins" (Rep.)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $7,000. (Average, $7,000)
"Penny Serenade" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days, 2nd week. Stage show featuring Lew Parker, Cookie Bowers, Six Danc-o-maniacs and the Hudson Wonders. Gross: $13,000. (Average, $14,000)
"Road to Zanzibar" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $11.000. (Average, $14,000)

Cincinnati Drops Opera for Summer

CINCINNATI, May 11.—The Summer season of opera, which has been an annual feature at the Zoological Gardens for many years, will be abandoned this Summer, because of inability to raise sufficient funds with which to finance the project. The operas provided appreciable competition for theatres.

School Children To Attend Play at 5-Cent Admission

About 1,300 New York City school children will have an opportunity to see Katharine Cornell in "The Doctor's Dilemma" at the Shubert Theatre on May 30 at five cents a ticket, it was announced Friday by Alfred Harding, chairman of the central control board of the School Theatre Program. Harding described the performance as a "preview" of the full program of school children's matinees which will start next year.

All theatrical unions will permit their members to work without pay for the special matinees. Only electric current, heat, if needed, printing of tickets, and salaries for ticket takers, doormen, ushers, cleaners and porters will be paid from the receipts. For the Cornell show, about $52 will be required and the five cent charge will cover this cost. The plan is intended to aid the school system and build a potential audience for the legitimate stage in future years.

Admission fee for future performances will range up to 25 cents, depending on the expense incurred.

The program has the whole-hearted support of the Board of Education which will handle the distribution of tickets and pay the costs. A committee consisting of Sol Pernick of the stagehands, union; Robert Sterne, musicians; Florence Reed, Equity, and Alice C. Wright, of the school system, will visit Mayor LaGuardia to invite him to the first performance.

Canadian Town in Ban on Carnivals

MONCTON, N. B., May 11.—The City Council here has banned all carnivals for this year. The council vote was unanimous. Exhibitors are enthused, as the tent shows have been drawing heavily here in recent years. The carnivals were described as dangerous during blackouts, and in general on the nuisance side. The Child Welfare and Firemen's Associations sought licenses as carnival sponsors, each for a week. The council will donate $300 to each association.

W. B. Set 'Night' Leads

HOLLYWOOD, May 11.—Olivia de Havilland and George Raft will star in Warners' "All Through the Night."

Bonus to Draftees Of Stanley-Warner

Philadelphia, May 11.—Ted Schlanger, zone chief here for Stanley-Warner Theatres, has announced that all circuit employes in the Philadelphia area who either enlist or are drafted will receive from two to four weeks' salary when they enter the service. Those entitled to a two-week vacation this summer will be given their vacation pay plus a two-week salary bonus. Those who have not worked with the company long enough to rate a vacation, will receive a two-week salary bonus.

Theatre Television

Kilpatrick Sees Start This Summer

(*Continued from page 1*)

day night consisted of a studio show and a pickup of the middleweight championship fight between Billy Soose and Ken Overlin at Madison Square Garden. The studio program was designed to show three types of programs which might be telecast to theatres to supplement an outstanding sports event.

The fight itself proved effective. The fighters were well distinguishable and the sound from the Garden crowd heightened the feeling of reality. There was no pickup from the ring directly. During the course of the 15-round bout, many in the audience joined in shouting encouragement to their favorite.

While the figures of the boxers were seen clearly, their faces were not. This was due to the fact that only overhead lighting is used and the boxers customarily hold their chins close to the shoulder or chest. However, when the head was snapped back by a punch, the features were clearly visible.

Many Exhibitors Present

About 1,200 were present in the theatre, with exhibitors from all parts of the country present. The picture was considerably better when viewed from the orchestra floor than from the balcony.

One of the technical difficulties encountered was the flashing of newspaper photographers' bulbs. These caused momentary large round white spots on the screen, which partially blotted out the action. When the action was at its height, there were the most flashes, thus causing the best moments of the fight to be interfered with on the screen.

Only one camera was used, thus giving only one angle from which the fight could be viewed. Furthermore, it is probable the angle at which the camera was set made the figures appear taller than they actually were. Television executives admitted that for good fight results three cameras should be used. Because of the small area covered, boxing is the most easily televised sport. Most observers were of the opinion that the screen was not sufficiently large for baseball or football and perhaps not even for hockey or basketball.

Newscast by Lowell Thomas

The first studio presentation was a newscast by Lowell Thomas with last-minute news, supplemented by maps to make understanding of the news easier than it is without the aid of vision. Thomas appeared to have difficulty in the early stages because he is unaccustomed to speaking without a script. Experimental telecasts in the past have used diagrams and small objects to illustrate the talks effectively but Thomas confined himself to a map only.

An episode from "The Parker Family," a popular radio program, was also included, but appeared to suffer from a lack of sufficient light. At experimental telecasts in the past, substantially better lighting has been achieved. The sketch itself held little dramatic interest.

Most interesting from a theatre standpoint was the possibility of newsreels. The demonstration, however, proved disappointing. The one film which was taken especially for the demonstration was a poor one and the RKO-Pathe reel which followed did not reproduce well. However, a demonstration of three-dimensional sound was effective and brought a strongly favorable response from the audience.

Included also was a round table discussion of the possibilities of theatre television and the singing of the "Star Spangled Banner" by Lucy Monroe. During the Thomas newscast, James A. Farley, former postmaster general, and John Boles, who was heard on the first network broadcast, were interviewed.

Trade Skeptical About Early Start

(*Continued from page 1*)

nessed how the mechanics of the new medium operated. It was novel and unique, but in point of quality of reproduction they saw something vastly inferior than the quality of entertainment which they offer at present and know they can continue to offer at reasonable cost to themselves and to the public.

They acknowledged the element of immediacy which the new art provides, such as bringing current events quickly to the eye and ear, but they realized that only such events as can be anticipated and prepared for in advance can thus be televised at present.

Element of Novelty

Talking pictures, they asserted, brought two new elements to the screen, speech and sound. In television, except for immediacy, they see only an additional element of novelty which for lack of sufficient program matter can soon fade from public interest.

They expressed considerable doubt whether the cost of bringing television into a theatre today would be warranted in view of the foregoing.

Also, they were impressed by the fact that the better part of the RCA program was the film part—rather than the live talent part. And, they also saw that in television even the film part is not as clear and effective as when projected directly. The expansive action material, such as baseball and basketball, were televised from film, thus not providing any conclusive impression for the audience that such contests can be effectively broadcast on large screen directly. Also, the screen was hard on the eyes—glittery and straining—and they wondered how long an audience would be able to take that.

Projector Cost $30,000

To television engineers, these views may seem to be minor—but that's the record from exhibitors' points of view as gathered in the theatre and afterwards.

RCA figures the cost of a theatre television projector at $30,000, although it is believed that this cost could be cut in half on large scale orders if they hit the 500 mark. If figured on a three-year life, amortization plus maintenance and telephone costs would amount to about $300 to $350 weekly. In addition to this amount, the company which would provide the program service and the promoter of the sports event would have to be paid. Assuming that each would charge 15 cents per seat for one event weekly, a 2,000-seat house would have an additional cost of $600 weekly.

The equipment consists of a high voltage transformer and rectifier unit, a large barrel-like projector, a radio control console and a speaker control cabinet. At the New Yorker, these units were placed directly in front of the balcony. Four cube speakers were placed where the box seats normally would be and a combination speaker was placed alongside the screen, 15 feet high and 20 feet wide. Behind the screen was placed a combination high and low range receiver.

Ritzes, 'Rookies' Milwaukee Smash

MILWAUKEE, May 11.—The Ritz Brothers on the stage and the film, "Rookies on Parade" proved the week's best grosser with $13,700 at the Riverside. "Ziegfeld Girl" and "The People vs. Dr. Kildare" connected for $10,600 at Fox's Wisconsin.

Estimated receipts for the week ending May 6-8:

"The Wagons Roll at Night" (W. B.)
"Topper Returns" (U. A.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $5,300. (Average, $4,500)

"Penny Serenade" (Col.)
"Scotland Yard" (20th-Fox)
PALACE—(2,400) (33c-44c-55c) 7 days. Gross: $4,800. (Average, $4,000)

"Rookies on Parade" (Rep.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Ritz Brothers. Gross: $13,700. (Average, $6,500)

"That Night in Rio" (20th-Fox)
"The Lady Eve" (Para.)
STRAND—(1,400) (33c-44c-55c) 7 days. Gross: $2,800. (Average, $1,500)

"Ziegfeld Girl" (M-G-M)
"The People vs. Dr. Kildare" (M-G-M)
WISCONSIN—(3,200) (33c-44c-55c) 7 days. Gross: $10,600. (Average, $5,500)

New Haven Gives 'Ziegfeld' $11,000

NEW HAVEN, May 11.—"Ziegfeld Girl" and "The Cowboy and the Blonde" took $11,000 at the Loew-Poli. "Meet John Doe" and "Strange Alibi" at the Roger Sherman took $5,300.

Estimated receipts for the week ending May 8:

"Penny Serenade" (Col.)
"The Lone Wolf Takes a Chance" (Col.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,500. (Average, $2,700)

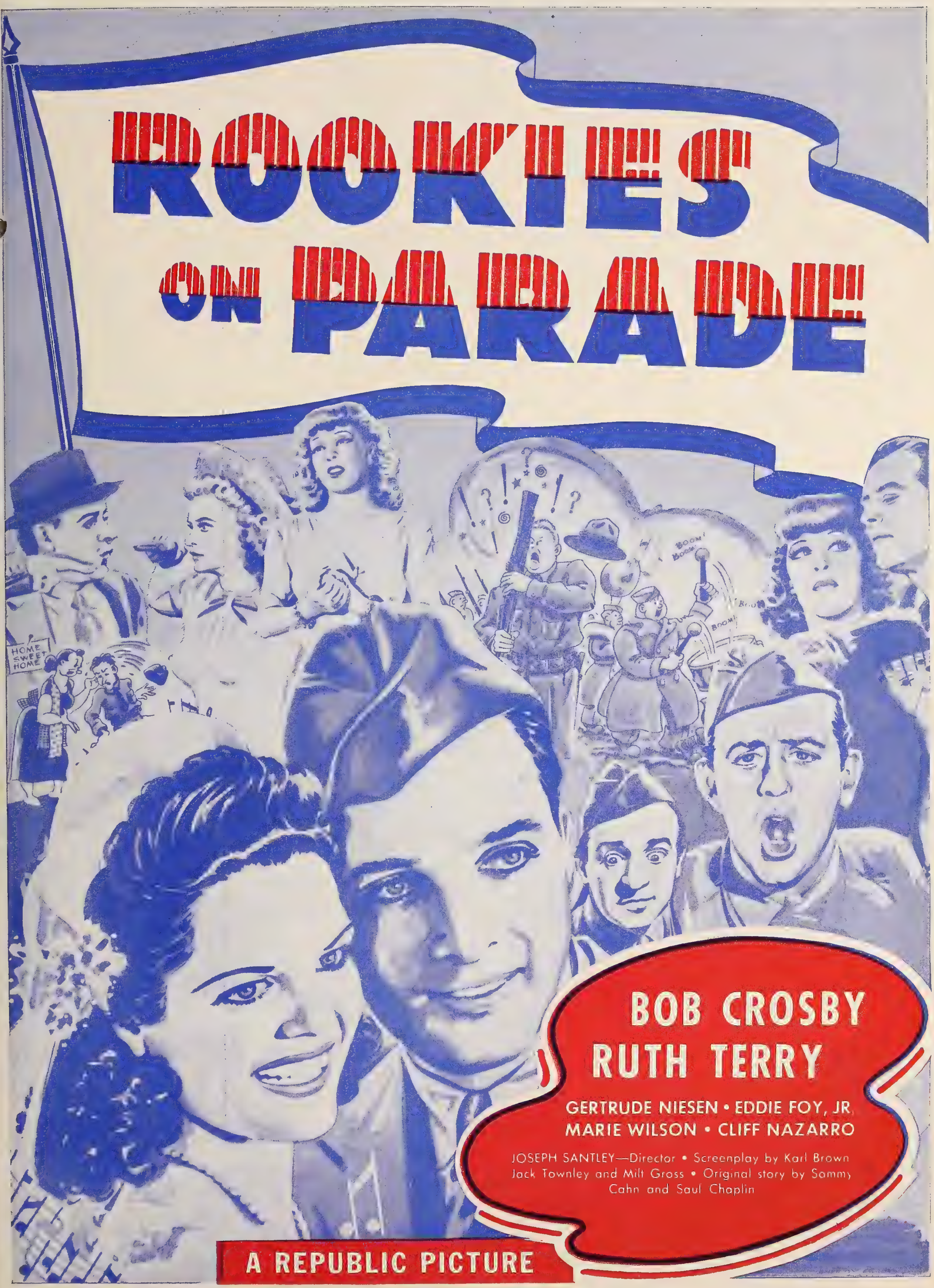
"Ziegfeld Girl" (M-G-M)
"The Cowboy and the Blonde" (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $11,000. (Average, $8,000)

"Reaching for the Sun" (Para.)
"Free and Easy" (M-G-M)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $4,500. (Average, $4,500)

"Meet John Doe" (W. B.)
"Strange Alibi" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $5,300. (Average, $5,000)

'Wind' Plays Five Theatres at Once

Milwaukee, May 11.—"Gone With the Wind" has been given a three-day simultaneous showing in the Oriental, Garfield, Uptown, Tower and Modjeska Theatres here and the Paradise in West Allis at 40 and 55-cent admissions. Three shows are presented daily. It marks the first neighborhood showing for the film, which played Fox's Palace for seven weeks during its original run and five weeks during its popular price run.


HOME SWEET HOME
BOOM! BOOM!
BOOM!
BOOM!

ROOKIES ON PARADE

BOB CROSBY
RUTH TERRY

GERTRUDE NIESEN • EDDIE FOY, JR.
MARIE WILSON • CLIFF NAZARRO

JOSEPH SANTLEY—Director • Screenplay by Karl Brown
Jack Townley and Milt Gross • Original story by Sammy
Cahn and Saul Chaplin

A REPUBLIC PICTURE

A.F.R.A. Pact Negotiated on Transcriptions

American Federation of Radio Artists on Friday signed a contract with the leading transcription and recording firms. Included among the signers were C. M. Finney, Associated Music Publishers president; Charles Gaines, World Broadcasting System secretary; J. H. MacDonald, NBC assistant treasurer, and Emily Holt, AFRA executive secretary.

The contract takes effect as of May 1 and extends to Nov. 1, 1943. All performers making transcriptions must become members of AFRA. The unions promised to remain an open union and not to require excessive initiation fees.

The contract places transcriptions in two categories with separate wage scales provided. In Class A are custom built transcriptions used by one sponsor once in each city. If a Class A transcription is used more than once, all performers must receive another fee equal to the fee originally received including rehearsal time. However, where payment in excess of the minimums is made, the excess is credited.

'Open End' Provisions

Class B transcriptions are "open end" programs which may be used on any number of stations not over 1,000 watts in power. However, if used by one sponsor for one product on four or more stations, or on any station with more than 1,000 watts, the transcription becomes Class A and all performers must be paid the differential.

In Class A, actors and announcers must receive a minimum of $2 for transcriptions of one minute or less up to $28 for full hour shows. Rehearsal pay is $6 per hour. Pay for singers ranges from $14 for a full hour when in groups of nine or more to $43.75 for soloists on one hour shows. On dramatized commercials the pay is $12 over five minutes and less than 15, up to $20 for hour shows.

In Class B, singers receive the same pay, but scales for actors and announcers range from $2 for programs of one minute or less to $17.50 for a full hour, with the rehearsal rate $3 per hour.

When transcriptions are used with a live broadcast, the full rate for live broadcasts must be paid. The schedules do not apply to foreign language transcriptions, for which a contract will be negotiated separately.

Sued Over Radio Deal

McCann-Erickson has been named defendant in a $10,000 breach of contract suit filed in N. Y. Supreme Court by Marie Sullivan. The defendant is charged with backing out of an agreement to pay the plaintiff's expenses in connection with the preparation and sale of a serial radio program to William Wrigley, Jr., Co.

Metro Signs Ruggles

HOLLYWOOD, May 11. — Wesley Ruggles has been signed to a new contract as a director for M-G-M.

Off the Antenna

WITH other networks emphasizing the wide coverage of their station setup, NBC-Blue has taken the opposite approach in a new promotion piece, "Blue Plate Special," sent out over the weekend. E.P.H. James, Blue promotion director, points out that lowered distribution costs can be achieved by sponsors by using a network whose coverage is concentrated in the big cities.

• • •

Purely Personal: *Charter Heslep, formerly general manager of the* Washington Daily News, *has joined the NBC news and special events staff. . . . Lester Braun, of the WNEW house orchestra, and Norma Orkin were married over tho weekend. . . . Fannie Hurst will be interviewed by Rex Stout over NBC-Red Thursday.*

• • •

A free trip to Washington is being offered by WCKY, Cincinnati, as a prize to promote "Young Citizens Week" which has been proclaimed there for this week. The contest is being conducted on the "Homemakers Program" and is open to men and women between the ages of 21 and 30 who complete, in 50 words or less, the sentence: "Accepting my responsibility as an American citizen, I must . . . "

• • •

To NAB Convention: Mutual executives who left Friday for St. Louis included Alfred J. McCosker, WOR president and Mutual chairman of the board; Theodore C. Streibert, WOR vice-president; Fred Weber, Mutual general manager, Ed Wood, Mutual sales manager and Lester Gottlieb, network publicity director. . . . E. C. Mills, chairman of the Ascap administrative board, and John G. Paine, general manager, left at the same time. . . . Richard O'Dea, WNEW vice-president, left Saturday.

• • •

Program News: *Ford Motor Co. has renewed its period over CBS for the Summer. The first "Ford Summer Hour" will be heard next Sunday. . . . Guy Lombardo's CBS program will originate from out of town for the next six weeks as he starts a theatre tour this week. On Friday, he will begin an engagement at the Earle, Philadelphia. . . . Arthur Godfrey has obtained two additional participating sponsors for his WABC morning show. They are Ward Baking and E. Pritchard, Inc. . . . "Ask Eleanor Nash," a woman's fashion program, will start over NBC-Blue Wednesday and will be heard weekly thereafter,* 11:30-11:45 *A.M.*

• • •

WHN will cover the opening of "Major Barbara" from the lobby of the Astor Theatre tomorrow evening from 8:15 to 8:30. It is expected that Myrna Loy, Kate Smith, Fay Wray and Lieut. Gov. Poletti will be heard on the broadcast.

Plan Standards for Religious Programs

Efforts to establish a national code for religious broadcasts to provide religious groups and broadcasters with "minimum standards" will be made during the coming year, it was disclosed over the weekend by the National Conference of Christians and Jews.

The announcement followed discussion of this problem at the Institute for Education by Radio at Ohio University last week. A small committee under the chairmanship of James H. Scull, who is in charge of radio for the National Conference, will be set up shortly and the committee will report back to the Institute next year.

Steel to Interview Leaders in London

Johannes Steel, WMCA's foreign news analyst, left by clipper for London on Saturday to interview British Government leaders. During his absence of about two weeks, Burnet Hershey will substitute on his period Pierre Van Paasen will be heard on the program tomorrow, Thursday and Saturday.

RCA Votes Dividends

Quarterly dividends of 87½ cents on outstanding $3.50 cumulative convertible first preferred stock and $1.25 on outstanding B preferred were declared Friday by the RCA board of directors. The dividends cover the second quarter of 1941 and will be paid July 1 to stockholders of record June 6.

CBC, as Organization of the Crown, Cannot Enter Agreement with Union

Ottawa, May 11.—The Dominion Justice Department has ruled that the Canadian Broadcasting Corporation is an emanation of the Crown and cannot legally enter an agreement with a trade union.

Munitions Minister Howe said the opinion of the Justice Department was given following receipt of proposals from the Association of Technical Employes for an agreement on behalf of the employes of the corporation's engineering division.

The Munitions Minister clearly indicated that it is not intended to set up a special committee of the House at this time to go into the affairs of CBC, when there are so many other matters calling for urgent attention.

Big Problems Scheduled for NAB Meeting

(Continued from page 1)

er, NAB president, will urge private operation of broadcasting which "gives the Government its princi[illegible] function in the realm of radio, t[illegible] of referee to determine who the operators of the limited number of transmitters shall be." This phrase is from a letter received by Miller from President Roosevelt in which the President outlined the function of Government in radio.

Miller's report will state that most of the past year has been devoted to the music situation, and that apart from the work of BMI, "the greatest single factor in accomplishing this result has been the realization by broadcasters that they could no longer afford the luxury of internal warfare." The result he will refer to is the "well earned victory" over Ascap.

Praises Defense Effort

"It is to the credit of the industry," Miller will state in connection with national defense, "that it has cooperated wholeheartedly with all branches of the Government. The NAB staff has been in daily contact with the officials of the various Government departments in an effort to coordinate the activities and render helpful service to both the industry and the Government."

The past year, Miller will conclude, showed continued evidence of public approval of the code.

Approval Sought For Eight Stations

WASHINGTON, May 11.—Applications for construction permits for seven regular broadcasting stations and one FM station have been filed with the FCC.

The FM application was filed by the Globe Democrat Publishing Co., St. Louis, for a 44,700-kilocycle station to cover 15,850 square miles with a population of 1,858,665. The regular applications were from the Courier-Post Broadcast Co., for a 1,540-kilocycle station at Camden, N. J., with 500 watts night, 1,000 watts day; Peter Q. Nyce for a 740-kilocycle, 1,000-watt, limited time station at Alexandria, Va.; J. I. Sims for a 1,450-kilocycle, 250-watt station at Orangeburg, S. C.; The Helena Broadcasting Co., for a 1,490-kilocycle, 250-watt station at Helena, Ark.; the Concord Tribune, Inc., for a 1,200-kilocycle, 1,000-watt station at Concord, N. C.; Beauford H. Jester, for a 1,230-kilocycle, 250-watt station at Waco, Tex., and the Iowa Great Lakes Broadcasting Co., for a 1,240-kilocycle, 100-watt station at Spencer, Ia.

Applications also were filed by Stations WNBF, Binghamton, N. Y., for change of frequency from 1,490 to 1,200 kilocycles and increase of power from 250 to 5,000 watts, and WDNC, Durham, N. C., for change of frequency from 1,490 to 620 kilocycles and increase of power from 250 watts to 1,000 watts night, 5,000 watts day.

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MOTION PICTURE DAILY

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Brief,
Accurate
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Impartial

VOL. 49. NO. 93 NEW YORK, U. S. A., TUESDAY, MAY 13, 1941 TEN CENTS

Reelection of Para. Board Due June 17

No Other Business for Stockholders' Meeting

The reelection of all 16 Paramount directors is scheduled for the annual meeting of stockholders of the company to be held at the home office, June 17. No other business is scheduled for transaction at the meeting, insofar as the management has been advised at this time.

The Paramount directors, all of whom are scheduled to be reelected for another one-year term, are: Neil F. Agnew, Barney Balaban, Stephen Callaghan, Y. Frank Freeman, Harvey D. Gibson, A. Conger Goodyear, Stanton Griffis, Duncan G. Harris, John D. Hertz, John W. Hicks, Austin Keough, Earl I. McClintock, Maurice Newton, E. V. Richards, Edwin L. Weisl and Adolph Zukor.

Stockholders are being asked to send proxies to the proxy committee

(*Continued on page 4*)

Folley Suit Against Majors Is Dropped

Folley Amusement Holding Corp. yesterday dropped its anti-trust suit in the U. S. District Court here against the eight major companies, Monogram, Republic, Randforce Amusement Corp., Samuel Rinzler and Louis Frisch.

Federal Judge Samuel J. Mandelbaum on stipulation of all parties signed an order dismissing the suit with prejudice to any renewal. The plaintiff, as former operator of the Folly Theatre in Brooklyn, had brought suit claiming that the defend-

(*Continued on page 4*)

Newark House Files Case on Clearance

The twelfth arbitration complaint of record at the New York tribunal was filed yesterday by Paustan Amusement Enterprises, operator of the West End Theatre, Newark, on clearance.

The complaint names the five consenting companies and the Ritz and Broadway, Newark, as interested parties. The plaintiff seeks a reduction of the present 14-day clearance of the

(*Continued on page 4*)

Ascap Music Greets MBS Ascap Session

St. Louis, May 12.—Representatives of Mutual affiliates, meeting over the weekend on the Starlight Roof of the Hotel Chase to decide on signing with Ascap, were startled when Mitchell Ayres' band during tea dancing nearby burst out with "God Bless America," an Ascap song. Throughout the afternoon the band continued playing Ascap numbers for the most part.

KAO, Keith Quarter Profit Is $371,837

Keith-Albee-Orpheum Corp. and B. F. Keith Corp. and subsidiaries yesterday estimated their net profit after all charges for the first quarter ended April 5 at $371,837. The results compare with combined net profit of $519,907 for the corresponding quarter last year.

K-A-O reported net of $236,679 and B. F. Keith a net of $135,157, which compares, respectively, with net of $312,452 and $209,455 last year. For the first quarter of 1941, K-A-O's profit before provision for depreciation and income taxes amounted to $492,374, and B. F. Keith's to $299,199. Provision for income taxes was made at the rate of 24 per cent of estimated

(*Continued on page 4*)

'Broadcast', 'Sun', Other Holdovers Big on Broadway

Weekend business was generally good, with grosses at the Roxy and Paramount sufficiently strong to warrant holdovers, despite a continuation of pleasant Spring weather.

At the Roxy, "The Great American Broadcast" with a stage show brought about $26,000 Thursday through Sunday. The film is in its second week and will be held for a third beginning Thursday.

The Paramount show, consisting of "Reaching for the Sun" and Alvino Rey heading the stage show, drew an estimated $16,000 Saturday and Sunday and finishes its first week tonight with about $34,000 expected. The second week starts tomorrow. The last five days of "I Wanted Wings" at the Astor brought $6,500, considered good.

"Citizen Kane" in the second week of its roadshow run at the Palace grossed an estimated $13,000 Thurs-

(*Continued on page 5*)

Jacocks Is Elected Head of Conn. MPTO

New Haven, May 12.—Irving Jacocks, Jr., today was elected president of the Connecticut MPTO at the annual election meeting at Ceriani's Restaurant here. He succeeds Arthur H. Lockwood. Other officers are: Adolph Johnson and Max Tabackman, vice-presidents; Herman Levy execu-

(*Continued on page 4*)

Theatre Television May Bring Regulation: Cohen

Acceptance of theatre television by the industry may result in creating a new form of Government regulation of the industry, Max A. Cohen, president of Allied Theatre Owners of New York, warned yesterday in a letter sent to members of the organization.

Cohen's letter pointed out that television is completely within the jurisdiction of the Federal Communications Commission, and that its jurisdiction would be extended to the industry in the event theatre television is accepted. He urges exhibitors to exert "extreme care and caution" in considering the use of television, and asserts that it is the intention to give the subject "the widest possible discussion" at the MPTOA annual convention in Los Angeles next month.

A copy of the letter was sent to Ed

(*Continued on page 4*)

Joelson-306 Wage Arbitration Opens

A wage controversy between J. J. Theatres, Inc. (Julius Joelson), which operates 18 houses in this city acquired from the Consolidated circuit, and operators' Local 306, has been submitted to arbitration. Formal hearings will start tomorrow. Harry C. Kane, attorney, is impartial arbitrator.

The contract between 306 and Consolidated, which was subsequently taken over by J. J. Theatres, provided for wage scales somewhat higher than those set up in the general contract signed by the New York ITOA, and the circuit is seeking to bring its contract down to ITOA levels. The union seeks an increase.

Congressmen Get Protests On Rental Tax

Called 'Staggering Blow' For Exhibitors

Washington, May 12.—Exhibitors in all sections of the country are unanimous in their opposition to the proposed film rental tax, it is disclosed by communications reaching members of Congress.

Typical of the protests that are being received is a telegram from Albert J. Finke, of the Hamrick Evergreen Theatres, Portland, Ore., to Representative Homer D. Angell of Oregon, declaring the tax would be a "staggering blow to the theatre industry," and a burden which the exhibitors will not be able to carry.

"Distributors will pass it on to exhibitors," Finke declared. "The exhibitor has no way of passing it on to the public, with the result that the burden will be upon the exhibitor, and will be, in fact, a discriminatory sales tax that will change many theatres into losing propositions and force some theatres to close."

The proposed tax, he added, was unanimously opposed at a meeting of the exhibitors' organization of Oregon, who estimated it would cost them alone more than $125,000 a year.

Notables to Attend 'Barbara' Tonight

Film industry, civic and society leaders will be in the audience for the opening of "Major Barbara," Gabriel Pascal-United Artists film, at the Astor Theatre tonight. Proceeds of the performance will be donated to the Royal Air Force Benevolent Fund.

Among those invited to attend are: Gov. Herbert Lehman, Edwin L.

(*Continued on page 4*)

In Today's Issue

Three reviews: "One Night in Lisbon" (Hollywood review), Page 4; "Scattergood Pulls the Strings" (from Hollywood), "Dead Man's Shoes," Page 5. Hollywood production news, Pages 5 and 6. Key city grosses, Page 6. Critics' Quotes, Short Subject Reviews, Page 7.

Coast Flashes

Hollywood, May 12

HOME office executives of 20th Century-Fox who have been conferring here on new season's production will leave for New York tomorrow by train. The group includes Herman Wobber, distribution chief; Charles E. McCarthy, director of advertising and publicity, and Division Managers W. J. Kupper, W. C. Gehring and William Sussman.

•

George L. Bagnall has left for New York on business for Alexander Korda Productions. He will be gone several days.

•

Lewis Allen, New York and London stage director, today joined Paramount as a director.

•

Walter Pidgeon left today to attend the national Variety Club convention in Atlantic City, opening Thursday. Other Hollywood players are scheduled to attend.

Grainger Sets Deal With W.B. Nationally

LOS ANGELES, May 12.—A deal under which Warner Theatres will take the entire Republic 1941-'42 product on a national basis has been agreed to in principle, J. R. Grainger, Republic president, said here today. Grainger said he set the deal with Joseph Bernhard, the circuit's general manager, and Clayton Bond, chief film buyer, before he left New York.

While on tour, Grainger closed with the Warner circuit in the Pittsburgh, Albany and Buffalo territories, he said. Deals have also been closed with the Butterfield, Publix-Saenger and Fox Intermountain circuits. While here he will work on deals with Warners' Coast houses and Fox West Coast.

Grainger said he noted a healthy improvement in film business everywhere he visited.

Home Subdivision On Zukor's Estate

Plans for subdividing Adolph Zukor's estate at New City, N. Y., as a residential development are under way, according to J. J. Watson, head of the New City planning commission.

Construction of an initial group of 40 dwellings will be begun soon, it was said. The development will include numerous recreational facilities, a shopping center and social center.

Zukor's country residence was established on the estate almost 20 years ago.

Arkansas ITO Ends Little Rock Session

LITTLE ROCK, Ark., May 12.—The Arkansas ITO concluded its two-day convention at the Hotel Marion here with a banquet this evening. Lieut. Gov. Robert Bailey of Arkansas addressed the delegates at the banquet.

R. X. Williams, president of the ITO of Arkansas, Mississippi and Tennessee, attended the meeting, as did H. M. Richey, in charge of exhibitor relations for M-G-M.

Personal Mention

FRED KENT, attorney for the Sparks and Wilby-Kincey circuits, is in New York.

•

A. H. BLANK is in town from Des Moines.

•

EARL HUDSON, president of United Detroit Theatres, is in town.

•

LOUIS B. MAYER, HOWARD STRICKLING and LAUDY LAWRENCE arrived in New York from the Coast by train yesterday.

•

NATE J. BLUMBERG, Universal president, was confined to his home with a cold yesterday.

•

WILL H. HAYS will remain at St. Luke's Hospital, Chicago, a few days more at the request of his physician, according to word received in New York yesterday.

•

MORRIS SPIER, operator of the Lennox Theatre in Philadelphia, became a grandfather last week when a daughter was born to MR. and MRS. PHILLIP BRUSSER.

•

ROBERT KINSLEY, manager of the Times Theatre in Cincinnati, has been drafted, and will leave for camp next month.

•

MORT SURVETNIK, assistant art director of the Warner Circuit in Philadelphia, is ill and confined to the Jewish Hospital.

PETER ROSIAN, Universal Cincinnati manager, will be host at a party next Monday on the opening of the company's new exchange building there.

•

CHARLES W. KOERNER, newly appointed manager of RKO Theatres, leaves Los Angeles today for New York.

•

AL BLUMBERG, Long Island booker for Warners, and EDWARD STERN, booker for the Rugoff & Becker circuit, have left for Florida.

•

CHARLES SCHLAIFER of the United Artists Theatre and JOSEPH BLUMENFELD of the Blumenfeld Circuit, San Francisco, headed the local National Jewish Welfare Drive.

•

GEORGE ARCHIBALD, United Artists joint managing director for Great Britain, will return to New York today from a visit with his son at school at Exeter, N. H.

•

ROLAND HAYNES, manager of Warners' Keystone Theatre, Philadelphia, is recovering from an appendicitis operation.

•

WALTER ZAJDEL, assistant manager of the Lyric, Chester, Pa., has returned from Canada.

•

ARTHUR HORNBLOW, JR., and MYRNA LOY are still in New York.

Shaw Testimonial Set Next Monday

NEW HAVEN, May 12. — Friends and industry associates plan a testimonial luncheon in honor of Harry F. Shaw, Loew-Poli division manager, next Monday at Ceriani's. Shaw will celebrate his seventh anniversary in his present position on that date.

Chairman of the event is Herman M. Levy, assisted by Samuel Seletsky, treasurer, Arthur H. Lockwood, Irving C. Jacocks, Jr., Samuel Rosen, Lou Schaefer, J. B. Fishman, Lawrence C. Caplan, Daniel Pouzzner, Maurice Bailey, Joseph F. Reed, Morris Nunes, Daniel Finn, Adolph G. Johnson, George Wilkinson, Jr., Lou Brown, Ben Simon, Edward Ruff, Morey Goldstein, Tim O'Toole, Roger Mahan, Lou Wechsler, Barney Pitkin, Ben Lourie, Nat Furst, John Pavone, Max Tabackman, Abe Mattes and Michael Tomasino.

Briggs, Fromkess Get New Contracts

O. Henry Briggs, president, and Leon Fromkess, vice-president in charge of operations, were given new contracts at the meeting of the Producers Releasing Corp. board of directors here over the weekend. New season production was discussed at the session.

Oriental Drops Acts

CHICAGO, May 12.—The Oriental Theatre here on Thursday will drop stage shows for the Summer for a double feature subsequent run policy. Prices will continue at 25 and 40 cents.

Carolina MPTO to Meet on June 29

CHARLOTTE, N. C., May 12.—The Summer convention of the MPTO of North and South Carolina will be held at the Ocean Forest Hotel, Myrtle Beach, S. C., June 29-July 1, according to Mrs. Walter Griffith, secretary.

Charles Arrington, president, says he expects an attendance of approximately 300. Thomas Little of Charlotte is chairman of the arrangements committee.

ITPA of Wisconsin To Meet on June 4

CHIPPEWA FALLS, WIS., May 12.—The ITPA of Wisconsin and Upper Michigan has scheduled a regional meeting here for June 4. William Smith, zone director for this area, will serve as chairman of the meeting. Members of Allied Theatres of the Northwest are expected to attend.

No National Meet For Col. This Year

Indications are that Columbia will hold no national sales convention this year, a company official said yesterday. Instead, a meeting of home office officials with division and branch managers is planned, and is expected to be held in Chicago early in June.

Shapiro Opens Office

HOLLYWOOD, May 12.—Victor M. Shapiro has resigned from the exploitation department of Selznick Productions to open his own publicity office here.

Daylight Saving Is Killed in St. Louis

ST. LOUIS, Mav 12.—A proposal for daylight saving time in St. Louis has been killed by the Board of Aldermen without a dissenting vote. Aldermen reported the public was overwhelmingly against it.

The Municipal Theatre Association, operators of the large Summer outdoor theatre, led the opposition, which included film theatre owners. [illegible] Wehrenberg, head of the MPTO of, testified at the only public hearing held on the bill that a poll among patrons indicated opposition.

Time Question Up Again in Wisconsin

MADISON, WIS., May 12.—Attempts earlier in the present session to alter the state's standard time law to permit daylight saving were blocked by exhibitors, but the subject has again popped up here with the introduction by Senator Milton T. Murray of a joint resolution which would provide for a state-wide referendum in November, 1942, on the question.

The Brown and McParland bills, film taxing measures, continue to rest in committee in the Senate and Assembly, respectively, with little likelihood that they will be enacted. Latest reports are that the 1941 session will adjourn May 28.

Robbins Wins RKO Exploitation Contest

Roy Robbins of the Karlton Theatre, Philadelphia, won first prize in the first run division for cities over 100,000 in the "Little Men" exploitation contest sponsored by RKO. First prize among subsequent runs went to Lige Brien, Belmar Theatre, Pittsburgh. In smaller cities winners were: Robert Sidman, Senate, Pittsburgh; Harry Goldstein, Morton Theatre, Dorchester, Mass.; Murray Ross, Capitol, Whiting, Ind.; Thomas Cleary, Princess, Montreal; George Davie, Shea's, Toronto.

Film Scorer Dies

James Charles Bradford, 55, owner of a music library for films and scorer of motion pictures, died Sunday at his home in Neponsit, Queens. A funeral service will be held tomorrow at Fresh Pond Crematory, Maspeth.

MOTION PICTURE
DAILY
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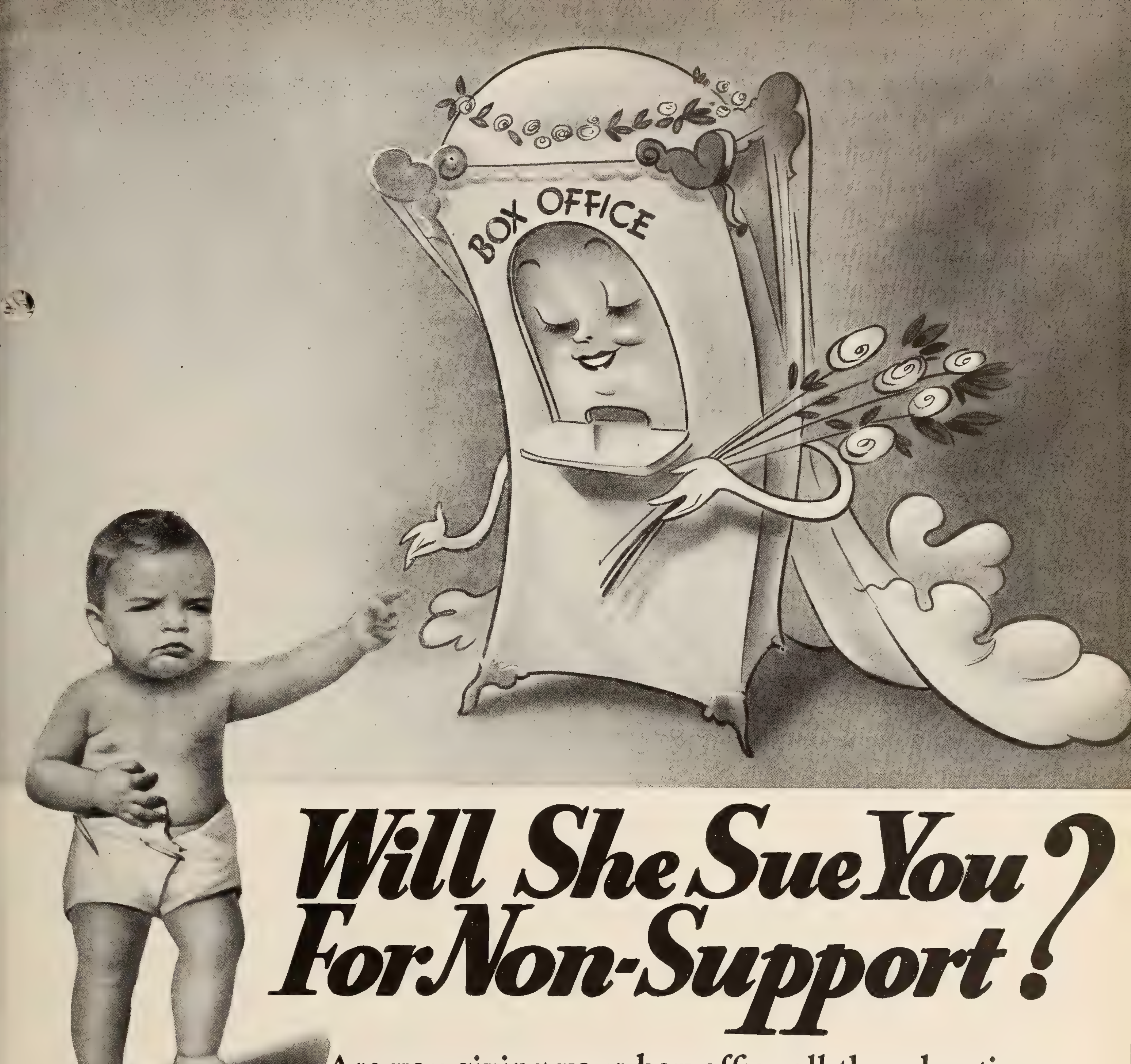

Will She Sue You For Non-Support?

Are you giving your box-office all the advertising help she needs . . . or has she a case against you for non-support?

Even the best pictures need advertising. Even the biggest productions grab extra money with advertising support.

If that's true of big productions, imagine how planned showmanship advertising behind the weak sisters can help support your box-office in the style to which she *should* become accustomed!

Trailers on your screen will keep your box-office happy. Lobby Displays out front will keep your box-office happy. General accessories intelligently used will keep your box-office happy.

NATIONAL *Screen* SERVICE • NATIONAL *Screen* ACCESSORIES
ADVERTISING ACCESSORIES, inc.
will keep your box-office happy!

Reelection of Para. Board Due June 17

(Continued from page 1)

consisting of Balaban, Callaghan, Freeman, Gibson and Griffis.

The proxy statement also lists the following information on stock holdings by directors of the company: Agnew, none; Balaban, 2,000 shares of common, beneficially; Callaghan, a board representative of Allied Owners Corp., which owns beneficially 9,900 shares of first preferred and $250,000 principal amount of 3¼ per cent debentures; Freeman, 600 shares of second preferred, beneficially, and a beneficial interest in an additional 600 shares of second preferred; Gibson, chairman of Manufacturers Trust Co., which owns beneficially 5,710 shares of first preferred and $3,392,800 principal amount of 3¼ per cent debentures; Goodyear, 600 shares of first preferred beneficially and 2,000 of common; Griffis, 7,500 shares of common beneficially and is trustee of 1,000 shares of second preferred and 23,500 shares of common.

Other Stock Holdings

Also: Harris, 200 shares of second preferred beneficially and 1,000 of common; Hertz, 1,000 of common and a beneficial interest in an additional 100 shares of common; Hicks, none; Keough, 423 of second preferred beneficially and 1,559 of common; McClintock, 100 shares of second preferred beneficially; Newton, 2,813 1/5 shares of second preferred beneficially, 8,118 of common and has an interest in an estate which owns beneficially 400 shares of first preferred, 7,100 of second preferred and $125,000 principal amount of 3¼ per cent debentures; Richards, has a beneficial interest in 7,500 shares of second preferred; Weisl, 100 shares of common beneficially, and Zukor, 200 of second preferred beneficially and 200 of common.

Newark House Files Case on Clearance

(Continued from page 1)

Ritz and Broadway over the West End to seven days.

Phila. Clearance Hearing Postponed

PHILADELPHIA, May 12.—Hearing of the clearance case of Rose Hexter, operator of the Breeze, which had been scheduled for May 16 has been postponed without date. Calvin Rankin of the Wharton School is arbitrator.

To Resume Boston Hearing on Friday

BOSTON, May 12.—Hearing of the Garbose Bros. clearance complaint against all five consenting companies before John A. Daly, arbitrator, was adjourned to Friday after a hearing here today. The case has been on the hearing calendar for over a month.

Retitle Paramount Film

HOLLYWOOD, May 12.—The title of the film which Edward H. Griffith will produce partly in the Bahamas for Paramount has been changed from "Dildo Cay" to "Bahama Passage."

Hollywood Review

"One Night in Lisbon"

(Paramount)

Hollywood, May 12

PRODUCER-DIRECTOR EDWARD H. GRIFFITH, teaming Fred MacMurray and Madeleine Carroll for the fourth time as romantic principals, has supplied the adult trade with a film so packed with laughs that sections of dialogue were drowned out by audience outbursts in the instance of the public press review. It is by far the most effective of his four pictures starring the pair (the other three being "Cafe Society," "Honeymoon in Bali" and "Virginia") all of which gave solid account of themselves at the boxoffice. It is in many respects the funniest, and mayhap the spiciest, comedy of the 1941 crop to date.

The humor of the picture, a derivative of "There's Always Juliet," accrues from dialogue, from performance, from situation and from characterization, in about that order. Many lines of dialogue are so phrased, and so placed in the run of the story, as to permit the customer to make his own choice of interpretations, the off-side choice being hot to the point of sizzling in a number of instances. The performances, from the top down, are expert and reflect direction of a quality seldom matched in this field of entertainment. The situations are beneficiary of a setting, geographical and circumstantial, which gives them freshness and pungency. Many of them are bedroom situations in which the wooers are interrupted often and variously at what has been called the psychological moment.

Scene of the picture is London, today, with the bombing of a feature of background and the war an incident of subordinate importance. MacMurray plays an American engaged in flying bombers to Britain and Miss Carroll an English girl he meets in an air raid shelter. His wooing of her begins immediately and proceeds at headlong pitch and with mounting insistence upon immediacy until the fadeout. A Naval Commander played by John Loder competes for the girl's interest, opposing his rigid formality to the American's impetuosity, with amusing results. A bit of melodrama concerning German agents seeking a letter the girl carries on her romantically intended trip with the American to Lisbon gives point to the concluding sequences without detracting from the comedy.

Others in a cast that furnishes brilliant support are Patricia Morison, Billie Burke, Edmund Gwenn, Dame Mae Whitty, Reginald Denny, Billy Gilbert and Bruce Wyndham.

Running time, 97 minutes. "A."* ROSCOE WILLIAMS

"A" denotes adult classification.

Theatre Television May Bring Regulation: Cohen

(Continued from page 1)

Kuykendall, MPTOA president. Cohen's letter says:

"We witnessed the television broadcast sponsored by the RCA Corporation at the New Yorker on Friday, May 9.

"Needless to say, this exhibition marked a very forward step in the progress of large-screen television. While the demonstration showed considerable imperfection, nevertheless, it proved the extensiveness of its research and experimentation.

"The most important thing we are concerned with in this message is the RCA Corporation announcing they are readying plans to service theatres with television outfits. This equipment to cost theatre owners in the neighborhood of $30,000 per installation.

"We will not attempt to base an opinion regarding the advantages and disadvantages of theatre installations except from one very important angle that seems to have been entirely overlooked in this projected setup.

"The RCA Corporation is endeavoring to prove that large screen television can compete with certain phases of present-day motion picture entertainment but it completely disregards the fact that television comes entirely and completely under the jurisdiction of the Federal Communications Commission. Herein lies a very grave danger. If our industry accepts television then of a certainty it opens the door to absolute Government regulation. The Federal Communications Commission is a direct Governmental agency and has absolute and complete power over the airwaves of this country.

"Therefore, it becomes easily understandable that by all means we must exert extreme care and caution because the absorption of television into the industry will open wide the actuality of complete Government regulation not only over television but also of the motion picture industry.

"You must give a great deal of thought and deliberation to this entire problem before making any definite decision as to television. It is the intention to bring this problem up before the national convention in Los Angeles for the widest possible discussion because of its apparent seriousness."

'Happy Days' Will Open Here Tonight

"The Happy Days," an adaptation of the Paris production of three years ago titled "Les Jours Heureux," will be presented tonight at Henry Miller's Theatre by Raphael and Robert Hakim. The cast includes Diana Barrymore, Edward Ashley, Joan Tetzel, Barbara Kent, Frederick Bradlee and Peter Scott. Arthur Ripley [illegible]rected. Zoe Akins adapted.

Notables to Attend 'Barbara' Tonight

(Continued from page 1)

Weisl, Postmaster General Frank C. Walker, Alfred E. Smith, Lieut. Gov. Charles Poletti, Solicitor General Henry E. Epstein, Nicholas M. Schenck, T. J. Connors, Margaret Case, Arthur W. Kelly, Harry Gold, Haskell M. Masters, C. C. Moskowitz, J. R. Vogel, Ben Joel, Eugene Picker, Joseph Bernhard, Clayton Bond, Ed Hinchy, Leonard Schlesinger, Malcolm Kingsberg, Fred Meyers, Max Fellerman, E. C. Grainger, Jack Shea, Leonard Goldenson, Sam Dembow, Leon Netter, Walter Vincent, W. G. Van Schmus, Gus Eyssell, George Skouras, John Benas, John Nolan, Sam Rinzler, Louis Frisch, William Brandt, Harry Brandt, Fred Schwartz, Si Fabian and Walter Reade.

Jacocks Is Elected Head of Conn. MPTO

(Continued from page 1)

tive secretary; George Wilkinson, Jr., treasurer. Directors include the officers and Hy Fine, Lockwood, Al Robbins, Peter Perakos, Samuel Rosen, B. E. Hoffman, Harry Shaw, Irwin Wheeler, Edwin Raffile and Lou Schaefer.

Levy reviewed proposals for new Federal admission taxes, and warned that since such new taxes may be expected at any time, exhibitors should hold off on the purchase of large quantities of tickets for the present.

KAO, Keith Quarter Profit Is $371,837

(Continued from page 1)

taxable income this year, compared with 18 per cent a year ago, and no provision for Federal excess profits tax has been made.

The result for the quarter is equivalent to $3.72 per share on 63,586 shares of K-A-O preferred outstanding, compared with $4.86 per share on 64,304 shares outstanding a year ago.

Folley Suit Against Majors Is Dropped

(Continued from page 1)

ants had joined in a conspiracy to monopolize product in Brooklyn.

The complaint had alleged that as a result of this alleged monopoly, the plaintiff was forced to close the Folly Theatre. No reason for discontinuance of the suit was disclosed in the papers.

'Broadcast', 'Sun', Other Holdovers Big on Broadway

(*Continued from page* 1)

day through Sunday. An extra midnight show was given on Saturday.

"The Devil and Miss Jones" opens at the Music Hall Thursday, replacing "That Uncertain Feeling," which, with the condensed version of "Madame Butterfly" on the stage, drew about $51,000 Thursday through Sunday. The show completes a two-week engagement tomorrow night.

Cincinnati Games Attendance Down

CINCINNATI, May 12.—Because of Holy Week, attendance at chance games was less in April than any month since March, 1940, according to report of Assistant Police Chief William C. Adams to City Manager C. O. Sherrill. Although 236 parties were licensed, only 222 were held, at which total attendance was 234,175; gross, $164,337.15; prizes, $44,088.04, leaving net of $120,249.11 to sponsoring organizations. Average net cost per player was 51.3 cents.

This compares with 282 parties in March, with attendance at 294,971; gross, $205,096.47; prizes, $49,726.39, and net, $155,370.08. Average net cost per player was 52.7 cents.

Ask Game Rehearing

LINCOLN, Neb., May 12.—The Omaha Motion Picture Exhibitors Association has asked the Nebraska Supreme Court for a rehearing on a recent decision holding that Prosperity Clubs violated an injunction banning Bank Night.

Fire Prevention Drive on in Phila.

PHILADELPHIA, May 12.—In view of the fact that there have been several fires recently in local theatres, despite the care being taken by exhibitors, Fire Marshal Jacob S. Clinton has requested further cooperation from exhibitors in helping the city maintain its high record in safety and fire prevention.

Clinton, in meeting with exhibitors, who will have to have their draperies and stage materials fireproofed, urged that some means be effected for a cooperative deal whereby the cost might not be so high. The materials, he said, must be fireproofed, but he realizes that the expense should be kept down if possible.

Readers' Contract Parleys Break Down

Attempts to reach a settlement on the petition of Screen Readers Guild for recognition as collective bargaining agency with major companies have broken down. Meanwhile, hearings are continuing before N.L.R.B. Trial Examiner Daniel Baker here.

Drops Vaudeville

NEW ORELANS, May 12.—The Lafayette Theatre has discontinued vaudeville for the Summer. It is the only film theatre in the city that has vaudeville.

Feature Reviews

"Scattergood Pulls the Strings"

(*RKO*)

Hollywood, May 12

JERROLD T. BRANDT'S second picture based on the Scattergood Baines character popularized by radio and the printed page tells more stories in one than are good for it but conforms in general to the expectancy established by the first. As concerns Guy Kibbee, personifying the title character, his performance is one to defy criticism.

Best of the stories woven into the script is about a boy, played by Bobs Watson, who has run away from an orphanage to find his father, an ex-convict, played by Monte Blue. Watson, accompanied by a dog is taken in care by Kibbee, who solves his problems for him. Also solved by Kibbee are the problems of a young inventor working on television apparatus, his sweetheart, whose father opposes the match, and the father himself, in trouble for signing a note he can't meet. Christie Cabanne, who directed and also collaborated on the script, is not always successful in keeping the story lines from intercepting each other but ties them up at the close in a manner to supply an ending suitable for audiences partial to what has been called homespun entertainment.

Others in the cast are Susan Peters, James Corner, Emma Dunn, Dink Trout, Carl Stockdale, Paul White, Fern Emmett, Lee White, Ann Shoemaker, Gordon Hart, Howard Hickman and Earl Hodgkins.

Running time, 69 minutes. "G."* ROSCOE WILLIAMS

**"G" denotes general classification.*

"Dead Man's Shoes"

(*Monogram*)

IN this film Monogram offers a diversified but not especially substantial piece of entertainment imported from England with Leslie Banks and Wilfrid Lawson in the principal roles, assisted by Judy Kelly, Joan Marion, Geoffrey Atkins and others.

The film deals psychologically with the wealthy industrialist, Banks, accused of being an imposter and a notorious thief of 20 years before. At that time Banks lost his memory and thus has no recollection of that period in his life. The charge is finally held to be false but in his own undertaking to discover the truth he finds evidence which points to his own guilt. Lawson is a blackmail artist killed by Miss Kelly, who then kills herself because of her love for Banks.

The subject is not for children.

Running time, 75 minutes. "A."*

**"A" denotes adult classification.*

Seeking Retention of Marquees in Detroit

DETROIT, May 12.—A petition of the Cooperative Theatres asking permission to retain marquees over five Woodward Avenue theatres after an ordinance barring them becomes effective June 1 has been referred by the Common Council to Joseph P. Wolff, head of the Department of Buildings and Safety Engineering.

Exceptions under the law may be made by the Council on marquees but all overhanging signs must come down. The Council granted a petition of the Fox Theatre to retain its marquee.

Suit of California Circuit Is Settled

SAN FRANCISCO, May 12.—A compromise settlement of litigation over affairs of the National Theatre Syndicate, operating a circuit in northern and central California, has been approved by the Superior Court here.

The compromise provides that title to the State Theatre, in Marysville, be transferred to the syndicate, that the estate of Morgan A. Walsh pay more than $20,000 to the credit of the stockholders, along with counsel fees of similar amount. The litigation lasted three years.

Eight New Films Are Approved by Legion

Eight of nine new pictures have been approved this week by the National Legion of Decency, four for general patronage and four for adults, while one was classified as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"El Diable Rides Again," "Los Heroes del Barrio," "Lone Rider in Ghost Town," "The Singing Hill." Class A-2, Unobjectionable for Adults—"The Big Boss," "Lady from Louisiana," "West Point Widow," "They Dare Not Love." Class B, Objectionable in Part—"City of Missing Girls."

Pizor and Segall To Arbitrate Case

PHILADELPHIA, May 12.—The legal differences between Lewen Pizor and Charles Segall, local exhibitors and partners in the operation of the Ace, Chelten, Appollo and Tioga Theatres here, will be settled out of court by a private arbitrator, it is learned.

Both men last month filed suit and countersuit in the Philadelphia Court of Common Pleas, each seeking to enjoin the other in the operation of the houses, and asking the court to declare a receivership to liquidate their theatre corporation.

46 Pictures Shooting; 16 Are Finished

HOLLYWOOD, May 12. — Forty-six pictures were before the cameras this week. The pace stepped up, as 16 pictures were finished and 16 pictures started. Twenty-three are being prepared, and 84 are in the cutting rooms.

The tally by studio:

Columbia

In Work: "Our Wife," "Heaven Can Wait," "Tillie the Toiler."

Started: "Medico of Painted Springs," "The Devil to Pay," "Texas," "Tonight Belongs to Us."

Goldwyn

In Work: "The Little Foxes."

Korda (U. A.)

In Work: "Illusions."

M-G-M

Finished: "Unholy Partners."

In Work: "Get-Away," "Barnacle Bill," "The Yearling."

Started: "Life Begins With Andy Hardy," "Smilin' Through."

Monogram

Finished: "Wrangler's Roost," "The Gang's All Here."

Started: "Wanderers of the West."

Producers Releasing

Finished: "Texas Marshal."

Started: "Criminals Within."

Paramount

Finished: "Hold Back the Dawn."

In Work: "Aloma of the South Seas," "Nothing but the Truth," "Henry Aldrich for President," "Birth of the Blues."

Started: "Among the Living," "Secrets of the Wastelands."

RKO

Finished: "Tom, Dick and Harry," "Before the Fact," "Parachute Battalion," "Lady Scarface," "Dude Cowboy."

In Work: "The Devil and Daniel Webster," (suspended), "Father Takes a Wife."

Started: "The Gay Falcon," "Outlaw Trail."

Republic

Finished: "Nevada City."

In Work: "Puddin' Head."

Started: "Kansas Cyclone."

20th Century-Fox

Finished: "Sun Valley."

In Work: "Belle Starr," "Dance Hall," "Dressed to Kill," "A Yank in the R.A.F.," "Last of the Duanes," "Private Nurse."

Started: "Charlie Chan in Rio."

Universal

Finished: "Abbott and Costello and Dick Powell in the Navy," "Big House Blues," "Rawhide Rangers."

In Work: "Moonlight in Hawaii."

Started: "Radio Revels of 1942," "I, James Lewis."

Warners

Finished: "Sergeant York," "Bad Men of Missouri," "Flight Patrol."

In Work: "Dive Bomber," "Manpower," "Navy Blues," "Bullets for O'Hara."

Kansas Exhibitor Dies

KANSAS CITY, May 12.—C. A. Bessier, who had operated the Cozy, Humboldt, Kan., died here yesterday.

'Great Lie' Is Frisco's Best With $19,800

San Francisco, May 12.—"The Great Lie" and "Here Comes Happiness" drew a fine $19,800 at the Fox, and were held for a second week. "Penny Serenade" and "Lone Wolf Takes a Chance" in the second week took $10,300 at the Orpheum.

Estimated receipts for the week ending May 6-9:

"The Met in Argentina" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $13,800. (Average, $15,000)
"Penny Serenade" (Col.)
"The Lone Wolf Takes a Chance" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $10,300. (Average, $8,000)
"The Great Lie" (W. B.)
"Here Comes Happiness" (W. B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $19,800. (Average, $16,000)
"Road to Zanzibar" (Para.)
"Mr. District Attorney" (Rep.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 4th week. Gross: $7,800. (Average, $11,500)
"Meet John Doe" (W. B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days. Gross: $6,500. (Average, $6,000)
"Ziegfeld Girl" (M-G-M)
"Shadows on the Stairs" (W. B.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (25c-35c-40c-50c) 7 days, 4th week. Gross: $8,500. (Average, $8,000)
"Loves and Music of Mozart" (Foreign)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $700. (Average, $1,000)
"Fantasia" (Disney)
GEARY—(1,288) (55c-75c-1.10-1.65) 7 days, 10th week. Gross: $9,500. (Average, $12,000)

for Beauty's Sake

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HOTEL EDISON

THURSDAY

MAY 15th

☆ ☆

A BEAUTIFUL ARRAY OF GUESTS

☆ ☆

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and

NEW YORK'S PRETTIEST MODELS
INTRODUCED BY VYVYAN DONNER
OF MOVIETONE NEWS

Para. Buys Rights to 45 Properties Since Jan. 1

Hollywood, May 12

PARAMOUNT this week claimed setting of a new record—the acquisition of film rights to 45 literary properties since January 1—which included all types of entertainment, from drama, comedy and mystery to outdoor action. The only type of story not included is the "propaganda or ideologic brand of story," according to B. G. De Sylva, executive producer.

"Paramount will not produce this type of picture," he said. "We believe that the public prefers entertainment, preferably comedy and romance. We have secured the broadest variety in entertainment in the stories purchased."

Topping the array are "Lady in the Dark," Moss Hart musical; "Louisiana Purchase," De Sylva's hit, and "For Whom the Bell Tolls," Ernest Hemingway novel.

• •

Charles Starrett's first western under his new Columbia contract, "The Medico of Painted Springs," has Terry Walker, Ray Bennett, Ben Taggart in chief support. . . . Edward Arnold has replaced the injured Thomas Mitchell in RKO's "The Devil and Daniel Webster." . . . Dorothy Comingore, feminine lead of "Citizen Kane," draws a similar assignment in RKO's "Unexpected Uncle." . . . Bob Hill is directing "Wanderers of the West," first of the new Monogram westerns starring Tom Keene.

• •

Warners has signed 15-year-old singer and concert pianiste Gloria Warren, and will put her in "Courage," original screen musical. . . . Wayne Morris will be starred in Warners' "The Smiling Ghost." . . . Paramount has extended the director's contract of Stuart Heisler. . . . P. R. C. has set Cecelia Parker for the feminine lead of "Gambling Daughters," Ted Richmond's third production for the company. Max Nosseck will direct. The same company also set Wynne Gibson and John Miljan in "Motorcycle Squad." . . . Joan Davis gets one of the leads in "Girls from Columbia," for which Columbia borrowed her from 20th Century-Fox.

• •

Harold Perry and Isabel Randolph, members of the Fibber McGee and Molly troupe, and Irving Bacon, Neil Hamilton, Chester Clute and Sterling Hollaway will support Edgar Bergen, Charlie McCarthy, McGee and Molly and Lucille Ball in RKO's "Look Who's Talking.". . . Columbia has set Isobel Elsom to do the same role in the screen version of "Ladies in Retirement" she did on the stage. . . . Theresa Harris replaces Louise Beavers in "Our Wife," Columbia . . . Paramount has set 19-year old Mary Anderson in support of Stirling Hayden and Madeleine Carroll in "Dildo Cay."

• •

Edna Mae Oliver comes out of retirement to play in Alexander Korda's "Illusions." . . . Jeffrey Lynn will star in Warners' "King Rubber." . . . Warners has bought "Muldoon Muddles Through," *Liberty Magazine* story about the F. B. I. written by Scott Littleton. . . . Duncan Renaldo gets the role of a sheik in "The Sheik of Buffalo Butte," next Hopalong Cassidy film.

• •

Robert Sterling draws the masculine lead opposite Ann Sothern in M-G-M's "Ringside Maisie." . . . The new Tarzan picture at M-G-M to star Johnny Weismuller, Maureen O'Sullivan and Johnny Sheffield, the latter as the son, will start June 1 with Richard Thorpe directing. . . . Republic has set Mary Lee, Leni Lynn, Lois Ranson and Eddie Foy, Jr. in leads of its forthcoming Navy musical, "Navy Blue Eyes," based on a story by Mildred Cram. Albert J. Cohen will produce. Astrid Allwyn joins the cast of "Puddin' Head" at the same studio.

• •

Sigmund Neufeld of Producers Releasing has signed Buster Crabbe to replace Bob Steele in the "Billy the Kid" western series, of which there will be six during the new season. . . . For the first time, Gene Raymond, her husband, will play on the screen with Jeanette MacDonald. He has been cast in "Smilin' Through," in which Brian Aherne, Ian Hunter and Patrick O'Moore also have roles.

'Rio' and King With $36,000 Chicago High

Chicago, May 12.—Wayne King and his orchestra, with "That Night in Rio" grossed $36,000 at the Chicago Theatre. Bela Lugosi in person heading a horror stage show plus [illegible] visible Ghost" on the screen [illegible] $14,000 at the Oriental.

Estimated receipts for the week ending May 9:

"Fantasia" (Disney)
APOLLO—(1,400) (50c-75c-$1.10-$1.65) 7 days, 11th week. Gross: $9,000. (Average, $6,500)
"That Night in Rio" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Wayne King Orchestra. Gross: $36,000. (Average, $32,000)
"The Sea Wolf" (W. B.)
GARRICK—(1,000) (35c-55c-75c), 7 days. Gross: $4,000. (Average, $5,000)
"Invisible Ghost" (Mono.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: Bela Lugosi. Gross: $14,000. (Average, $13,000)
"Lady From Cheyenne" (Univ.) 4 days
"Model Wife" (Univ.) 4 days
"Citizen Kane" (RKO) 3 days.
PALACE—(2,500) (35c-55c-75c and 75c-$1.10) Gross: $10,500. (Average, $13,000.
"The Great Dictator" (U. A.)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days. Gross: $9,000. (Average, $11,000)
"You're the One" (Para.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: "Maid in America" Unit. Gross: $18,000. (Average: $15,000)
"That Hamilton Woman" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $14,000. (Average, $14,000)
"Citizen Kane" (RKO)
WOODS—1,100) (75c-$1.10-$1.65) 5 performances, 2 shows daily. Gross: $3,200.

'Miss Jones' Gets $4,700 in St. Louis

St. Louis, May 12.—Grosses were off here, with "The Devil and Miss Jones," dualed with "The Lady From Cheyenne," doing $4,700 at the Missouri.

Estimated receipts for the week ending May 8:

"The Great Lie" (W. B.)
"Here Comes Happiness" (W. B.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $7,000. (Average, $11,000)
"The Devil and Miss Jones" (RKO)
"The Lady from Cheyenne" (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $4,700. (Average, $4,000)
"Sleepers West" (20th-Fox)
"Footlight Fever" (RKO)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,700. (Average, $2,600)
"Ziegfeld Girl" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $9,800. (Average, $13,000)
"Penny Serenade" (Col.)
"Mr. District Attorney" (Para.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $8,200. (Average, $11,500)

'Uncertain,' Noble $14,700 Omaha Hit

Omaha, May 12.—"That Uncertain Feeling," with Ray Noble's band on the stage of the Orpheum, was a smash hit with $14,700. The weather was clear and warm.

Estimated receipts for the week ending May 7-8:

"Penny Serenade" (Col.)
"Strange Alibi" (W. B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days, 2nd week. Gross: $3,800. (Average, $4,000)
"The Sea Wolf" (W. B.)
"The Invisible Woman" (Univ.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,900. (Average, $6,000)
"That Uncertain Feeling" (U. A.)
ORPHEUM—(3,000) (40c-55c) 7 days. Stage: Ray Noble. Gross: $14,700. (Average, $7,200)

Short Subject Reviews

"Crisis in the Atlantic"

(March of Time—RKO)

Current British, Canadian and American efforts to keep open the Atlantic sea lanes are pictured in March of Time's latest release. The subject ranges over a wide field of happen[illegible] not always too closely related [illegible]te their bearing on the basic theme. Individual sequences, particularly those picturing British and Canadian convoys under way, prove to be more interesting, as a result, than the subject as a whole.

The subject also presents an explanation of America's current interest in Greenland that may have more meaning to the public than much that has been said of it in the press. Running time, 18 minutes.

"Stranger Than Fiction, No. 90"

(Universal)

A group of oddities, this subject offers material of general interest, but little astonishing. It features the lame World War veteran who has rigged his own conveyance, and is accompanied by a pet rooster; a beautiful set of silver chess pieces wrought by a jeweler in his spare time, and the Portland kennel operator who raises lion cubs and puppies together. Running time, 9 mins.

"Stranger That Fiction, No. 91"

(Universal)

Clever animals, human and otherwise, and the center of attention in this number of the interesting series. A Baltimore woman reproduces famous paintings in embroidery, the art of making stained glass windows is pictured, bank in Dallas has a teller's window which may be reached from the seat of an auto, and a contented cow has learned how to operate a water pump in the barn. Running time, 9 mins.

"Red Skins and Red Heads"

(RKO)

Ray Whitley and his yodeling cowboys are featured in this Western musical with Virginia Vale and her co-students of a fashionable girls' school. The girls, it seems, are bored until the boys come on the scene. Two prim chaperones object, so a bogus Indian attack is staged and the girls are carried away to the village barn dance. The story is somewhat weak but the melodies are enjoyable. Running time, 18 mins.

"On the Spot"

(Paramount)

Ted Husing answers the sports queries from fans in this "Sportlight," and imparts a bit of knowledge anent cavalry maneuvers, figure skating, dog training, Babe Didrickson and slow-motion filming of sports events. A running gag on why wagon wheels appear to be going backward instead of forward when filmed is amusing. The phenomenon remains unanswered, incidentally. It is an interesting change and should delight the average fan. Running time, 10 mins.

Critics' Quotes . . .

"CITIZEN KANE" (Welles-RKO)

It is a cold picture, unemotional, a puzzle rather than a drama . . . a picture in which the interest is intellectual, not dramatic.—*Eileen Creelman, New York Sun.*

What matters is that "Citizen Kane" is a cinema masterpiece—that here is a film so full of drama, pathos, humor, drive, variety and courage and originality in its treatment that it is staggering and belongs at once among the great screen achievements.—*William Boehnel, New York World-Telegram.*

It can be safely stated that suppression of this film would have been a crime, in spite of some disconcerting lapses and strange ambiguities in the creation of the principal character.—*Bosley Crowther, New York Times.*

From any standpoint "Citizen Kane" is a truly great motion picture.—*Howard Barnes, New York Herald Tribune.*

It is one of the most interesting and technically superior films that has ever come out of a Hollywood studio.—*Kate Cameron, New York News.*

No movie has ever grabbed you, pummeled you, socked you on the button with the vitality, the accuracy, the impact, the professional aim, that this one does.—*Cecelia Ager, PM.*

It goes without saying this is the picture that wins the majority of 1941's movie prizes in a walk, for it is inconceivable that another will come along to challenge it.—*Archer Winsten, New York Post.*

"PENNY SERENADE" (Columbia)

Here the comedy team produces a sentimental film that, sniffle for sniffle, ranks with the best in the tear-jerker class.—*Newsweek.*

It is too often a moving picture which does not move. Skillful direction saves it from turning maudlin.—*Time.*

Somewhat too long, perhaps, for its simple story—it runs for 124 minutes—the photoplay deteriorates toward the close, but in the meantime it provides ample entertainment for a very wide audience.—*Donald Kirkley, Baltimore Morning Sun.*

Far better than the customary Hollywood essay on lachrymose sentimentality. Morrie Ryskind, who made the adaptation, and George Stevens, who directed it, have preserved in the film a human quality as recognizable as it is real.—*Gilbert Kanour, Baltimore Evening Sun.*

"THAT UNCERTAIN FEELING" (Lubitsch-United Artists)

It has what is known in the trade as "the Lubitsch touch," which means that there are lightly satirical passages and some cleverly concealed spots on thin ice. . . . The plot, however, hasn't the strength and sparkle of the pictures usually associated with the name of Lubitsch.—*Norman Clark, Baltimore News Post.*

Discriminating theatre-goers will find "That Uncertain Feeling" a welcome relief from other essays on the tie which is supposed to bind.—*Gilbert Kanour, Baltimore Evening Sun.*

The new version seems thin, slow-paced and lack-lustre compared with the best of the Lubitsch works. . . . The photoplay, however, does yield a moderate amount of interest, for second-rate Lubitsch is better than none.—*Donald Kirkley, Baltimore Morning Sun.*

Try NSS-Casanave Suit in Westchester

The Appellate Division of the New York Supreme Court yesterday unanimously affirmed the decision of Justice Patterson, holding that Charles Casanave has the right to trial of his suit against National Screen Service and Herman Robbins in the Westchester County court.

Sacramento Gets Newsreel Theatre

Sacramento, Cal., May 12.—With the opening of the new Newsreel Theatre here, operated by Cyril and Lawrence Cohen, Los Angeles theatre operators, this city becomes the seventh metropolitan area in the nation to have an exclusively newsreel house.

Educ. Sale Postponed

Referee Peter B. Olney yesterday postponed sale of 732 shorts of Educational Pictures of America until May 23, after a creditors' committee rejected an offer of Irving Levine to pay 50 per cent of the gross of the pictures with a minimum of $10,000. Subsequent to this offer, it was disclosed, Edgar Wilson, British distributor, offered $16,500 for the films.

May Limit Missouri Program Measure

Jefferson City, Mo., May 12.—Public hearings have begun in the Missouri legislature here on the bill to limit the length of theatre programs to two and one-half hours.

The Senate committee conducting the hearings appeared to be in favor of an amendment limiting the application of the measure to St. Louis, Kansas City and St. Joseph, the state's larger cities.

Disney on China Relief

Hollywood, May 12.—Walt Disney has accepted an appointment as chairman of the Campaign for Young China, part of the United China Relief drive. Mickey Rooney and Judy Garland will direct a China Stamp Club, proceeds of which are designed to provide food and shelter for Chinese war orphans.

Reiner Sends 'Dessert'

By way of reminder that Paramount shorts are the "dessert" on theatre bills. Manny Reiner, publicity manager of Paramount shorts and newsreels, yesterday sent a quart of ice cream to trade press editors and reviewers.

Short Subject Reviews

"Out of Darkness"

(M-G-M)

John Nesbitt has chosen the noted *La Libre Belgique,* an underground newspaper published during the first World War, as his latest subject for "The Passing Parade." He explains at the outset that there were 24 editors of this newspaper, which made its appearance during the first German occupation of Belgium. Twenty-two of the editors are discovered and shot but when the 23rd appears, the German secret police officer collapses. For the 24th, Nesbitt points to a 1940 clipping which tells that *La Libre Belgique* is being published once more, and the reel ends with a rousing call for courage by the people of all occupied countries. Running time, 11 mins.

"Popeye Meets Rip Van Winkle"

(Paramount)

Popeye is in the company of the legendary snoozer, Rip Van Winkle, and a group of elves, who are engaged in a game of ten-pins, but with it all he fails to be very funny. Rip is being dispossessed for not paying his rent when Popeye comes to his rescue. Rip wanders off in his sleep to where the elves are at play, Popeye follows and a battle begins. Running time, 7 mins.

"Scrub Me Mamma With a Boogie Beat"

(Universal)

A color cartoon of the awakening of a lazy group of Southern darkies on the arrival of a Harlem miss with rhythm in the most modern manner, this subject probably will have its appeal for the younger set with dancing feet. For others, it won't matter at all. Running time, 7 mins.

"The Goose Goes South"

(M-G-M)

When the geese start flying South for the Winter, there is one of the flock who decides to hitch-hike his way to Florida. He doesn't get much attention from the motorists except for one fellow who stops for him at various points in the journey to explain that the car is going only a few blocks more. When the hitch-hiker finally arrives in Florida, he pulls the same trick but the goose has his revenge when the car drives over the edge of the pier. Only fair. Running time, 8 mins.

"Glimpses of Kentucky"

(FitzPatrick-M-G-M)

The blue-grass country of Kentucky is the subject of this FitzPatrick "Traveltalk" in color. Two themes are stressed—Kentucky as the home of Stephen Foster and the home of the thoroughbred horse. Snatches from Foster's tunes are heard while the camera picks up some of the State's more picturesque homes. Then the horses are shown with excellent examples of the breeder's art in producing fine strains of farm horses as well as racers. The reel ends with some shots of the famous "Man O' War." Should hold interest. Running time, 8 mins.

Music 'War' Not Yet Over, Miller States

St. Louis, May 12.—Neville Miller, National Association of Broadcasters' president denied here today the Mutual assertion that "the music war is over." The preponderant elements of the broadcasting industry, including many Mutual affiliates which must negotiate individual Ascap licenses, have not yet received satisfactory terms from Ascap, Miller asserted.

Neville Miller

Seeks Decree Compliance

"Even more important," Miller continued, "Ascap has yet to offer a music licensing plan which complies with the consent decree which Ascap signed with the Government. The NAB still regards the music problem as a vital one."

The music situation will be discussed at Wednesday's session of the NAB convention. Committee meetings were held today and the convention officially gets under way tomorrow.

BMI issued a statement declaring that the Mutual-Ascap deal confirmed late Sunday would not affect future BMI plans. "BMI will continue to render a full music service for the benefit of those of its licensees who have Ascap as well as BMI licenses," the statement said. "Over 95 per cent of Mutual affiliates are BMI licensees." On Sunday, BMI had let it be known that it would reduce its fees and that it had sufficient funds and pledges on hand to assure continued operation at least until April, 1942.

Both NBC and CBS officials reiterated today that the Mutual deal with Ascap would not influence their own acceptance of licenses and that satisfactory terms had not yet been received. It was indicated that these officials believed that better terms would be obtained after June when the consent decree takes effect.

[The indication by Miller that the Mutual license does not conform with the consent decree is generally believed to refer to the provision, that the "per program" license offered to individual stations may be canceled by Ascap if receipts are less than two per cent of the station's net receipts.]

It was explained by Fred Weber, Mutual general manager, today that the vote of only 86 Mutual affiliates to accept the pact was regarded as a majority because six of the 175 affiliates will leave the network within 90 days and therefore had been disqualified from voting. The approval of 86 of the remaining 169 therefore constituted a majority. However, Weber continued, five more stations had sent in their approval this morning, bringing the total to 91.

NBC for Legal Action

Meanwhile, Niles Trammell, NBC president, disclosed that a meeting of that network's affiliates showed that the consensus was for taking legal steps to obtain a court stay of the FCC monopoly regulations which, among other things, require NBC to divest itself of the Blue network within 90 days. No formal decision was made at the meeting, Trammell said, because it was intended only for discussion and expression of opinions.

It was announced here that Vice-President Henry A. Wallace will deliver his talk at tomorrow's luncheon by wire from Washington instead of appearing here in person.

Off the Antenna

MAJOR Edwin H. Armstrong, developer of FM, will be honored by the Franklin Institute of Philadelphia next Monday with the Institute's highest 1941 award for scientific achievement.

• • •

Purely Personal: *Ilya Laskoff, music editor of the CBS publicity staff, will make his American debut as conductor next Tuesday at 4:15 P.M. when he steps on the podium during the "Columbia Concert Orchestra" program on the network. . . . Peter Zanphir of the CBS sales promotion department is the father of a girl born on Mother's Day. . . . Ilka Chase, Lucille Manners and Ben Grauer will be auctioneers at a sale for the British War Relief Society at Temple's tomorrow afternoon. . . . Max Miller will be guest on the Al Pearce program over CBS Friday.*

• • •

The annual Radio Manufacturers Association industry banquet has been set for June 11 in the grand ballroom of the Stevens Hotel in Chicago.

• • •

"KDKA Farm Hour" will be started by KDKA, Pittsburgh, as a new service for rural listeners. It will be heard during morning hours and will include market reports and prices, developments in agricultural science, practical suggestions on farm problems, a news summary, music and entertainment. Donald G. Lerch, Jr., who has been with the U. S. Soil Conservation Service, has been named farm editor in charge of the program.

• • •

Program News: *Krug Baking Co. has revised its contract with WABC to five participations weekly on "Woman's Page of the Air" instead of sponsoring the entire Friday program. . . . "Matinee with Lytell," a Summer musical series, will start Sunday over NBC-Blue and will be heard weekly 1:30-2 P.M. . . . Garden City Publishing Co. will sponsor three participations weekly on the Arthur Godfrey series over WABC starting Monday.*

• • •

CBS 50,000 watt stations will increase to 20 in number under recent FCC power increases. The latest two to go to maximum are KTRH, Houston, and WLAC, Nashville. WNOX, Knoxville, has recevied permission to step up its power to 10,000 watts full time, and WCAO, Baltimore, will go to 5,000 watts full time.

• • •

Around the Country: Dean Phlenz, film editor of the Lincoln, Neb., *Journal,* has started a program called "Hollywood College" over KFOR, Lincoln. It is sponsored by the Lincoln Theatre Corp. . . . Joseph D. Mackin, formerly WIBA, Madison, Wis., salesman, has been named sales manager of WMAM, Marinette, Wis. . . . Ken Elliott and Stanley Haliday, WNOE, New Orleans, announcers, have resigned. . . . Joseph Handchetz, engineer, has joined WHAT, Philadelphia, having resigned from WFPG, Atlantic City. . . . Louis Littlejohn, WFIL, Philadelphia, engineer, has been elected president of the newly created Philadelphia Broadcast Local No. 1 of the American Communications Association. . . . Paul Kane, WPEN, Philadelphia, salesman, has enlisted in the Army.

Controversial Speeches Over WLW, WSAI from Studio Without Audience

Cincinnati, May 12.—A new policy on speeches concerning controversial subjects has been adopted by WLW and WSAI, Crosley stations here. In the future all speeches of a controversial political or social nature must originate from the stations' own studios without any audience present. The ruling does not apply to debates and forums, but on speeches the intention is to avoid carrying on the air either applause or evidences of disapproval.

"It is not the purpose of this policy," explained James D. Shouse, vice-president, "to curtail in any way the amount or number of broadcasts dealing with controversial subjects, but rather to confine the stations' dissemination of viewpoints on controversial matters to statements of position and belief by representatives of both sides involved, without at the same time broadcasting audience reactions to the statements made and points developed—thus leaving each listener free to arrive at his own opinion without being forced to differentiate in his own mind between valid and dispassionate statements and mass reaction which may, under current conditions, at times border on hysteria."

Mutual Terms Ascap's Best, Board Votes

The Ascap board of directors yesterday unanimously adopted a resolution declaring that the contract with Mutual and the contracts with individual Mutual stations repre[illegible] the minimum terms which Ascap is willing to accept from any network and from affiliated individual stations.

The action followed declarations by NBC and CBS officials at St. Louis over the weekend that they hoped to obtain better terms from Ascap than those granted Mutual, and would be in "no hurry" to sign a new contract.

The Ascap board took the position that the Mutual pact represents "numerous concessions" on the part of the society, that it includes "everything the radio industry repeatedly demanded during last year's negotiations and represents a substantial saving" on music costs to broadcasters.

"Under any and all circumstances," Ascap said "these terms constitute the society's minimum offer."

Special Program Sunday

Although Ascap music will be back on the Mutual network tonight with late hour remote dance music, its return will be signalized formally Sunday with a one-hour program over the network originating in New York and Hollywood, WOR announced yesterday. Leading musicians and song writers are expected to participate.

Roosevelt Hints at 'Just' Radio Solution

President Roosevelt, through Stephen Early, his secretary, has replied to Alfred J. McCosker, Mutual board chairman, and W. E. Macfarlane, president, who wrote the President commending the FCC monopoly report.

Early wrote McCosker: "The President feels that when two executives with such important interests at stake can view a situation with such detachment, there is every prospect of finding a just and equitable solution.

"He wants you and Mr. Macfarlane to know that he greatly appreciates the conciliatory spirit which prompted your message."

Settle Moss Hart Suit

Settlement of the $25,000 breach of contract suit of Frieda Fishbein against Moss Hart was disclosed yesterday in N. Y. Supreme Court when Justice Philip J. McCook granted withdrawal of an application for summary judgment.

Thurston Rites Held

Columbus, May 12.—Services were held here today for Harry E. Thurston, 70, former vaudeville player, and brother of the late Howard Thurston, magician. Thurston died at Miami Beach last week. He is survived by his widow and a daughter.

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Nathanson to Resign F.P.C. Post, Report

Fitzgibbons to Succeed; Balaban to Toronto

TORONTO, May 13.—Indications are that N. L. Nathanson will resign from Famous Players Canadian and that J. J. Fitzgibbons will succeed him, as the annual meeting of the company resumes tomorrow.

N. L. Nathanson, it is reported, had previously made a proposal in writing to dispose of his interests in that chain but later withdrew it on the grounds that his son, Paul, head of the newly-formed Odeon Chain, would not go along with the proposal. In that first proposal, it is reported, Nathanson offered to turn over the Odeon Theatres also to Famous Players Canadian.

Paramount will thus control FPC alone and it also will no longer be

(*Continued on page* 6)

'Barbara' in Bright Broadway Opening

"Major Barbara," Gabriel Pascal production of the George Bernard Shaw play, released by United Artists, had its Broadway premiere last night at the Astor Theatre, at a reserved seat performance, the proceeds of which will be donated to the Royal

(*Continued on page* 6)

See Argentine Ban Of 'Nights' Inspired

Washington, May 13.—The Argentine Government's request that Universal withdraw "Argentine Nights" from circulation in that country may not have been uninspired, semi - official sources here believe. These observers say that such action by the Government, if inspired, reflects how seriously Communist and Nazi elements regard films as a means of communication and how much they fear the effect of American films. Observers believe the Argentine officials are making too much of a fuss over a minor situation.

Schaefer Signs Breen as Chief Of RKO Studio

HOLLYWOOD, May 13.—Joseph I. Breen has been signed to a long term contract by RKO as general manager in charge of the studio, George J. Schaefer, RKO president, announced today.

Joseph I. Breen

Schaefer said that at the next meeting of the RKO board of directors, in New York, Breen would be elected a vice-president of the company. He is scheduled to take over his new duties shortly, presumably as soon as his successor as head of the Production Code

(*Continued on page* 6)

Malin President of I.T.O. of Arkansas

LITTLE ROCK, Ark., May 13.—W. E. Malin was elected president of the ITO of Arkansas at the annual meeting of the organization at the Hotel Marion here yesterday. C. C. Mundo was elected vice-president, and Louis Haven, Jr., secretary. Directors are: W. L. Landers, Jr., J. F. Norman, D. E. Fitton, Henry Haven, C. F. Bonner and Harry Ruh.

EXHIBITORS WARY ABOUT TELEVISION

Canada 1940 Gross Total $37,600,000

OTTAWA, May 13.—There were approximately 151,000,000 admissions to theatres in Canada last year, while admission receipts, exclusive of provincial amusement taxes, totaled about $37,600,000, according to a preliminary compilation based on reports received from various parts of the Dominion.

The totals represent an increase of nine per cent in attendance and 11 per cent in receipts, compared with 1939. On this basis it is estimated the proposed 20% Federal admission tax will return $7,000,000 or more a year.

As a result of war activity in Halifax, there was noted a pronounced increase in attendance at theatres in that center, which constituted the outstanding feature of the statistical report. The nine motion picture theatres in Halifax had 2,767,340 admissions and $644,979 in receipts for 1940,

(*Continued on page* 6)

Kuykendall Names Fact Finding Committee to Report at Meeting

Theatre television will command only a minor place in exhibition operations as long as its present cost and dearth of major program material continues, representative exhibitors agree in messages to MOTION PICTURE DAILY received since the RCA demonstration at the New Yorker Theatre last Friday.

In addition, many exhibitors express wariness of opening their theatres to a medium already under Government control and regulation. The fear that this would lead to ultimate Federal regulation of exhibition was voiced by Max A. Cohen, president of Allied Theatre Owners of New York, in a letter to members of that organization this week.

As a result of the letter, Ed Kuykendall, MPTOA president, has appointed Cohen chairman of a "fact finding committee on television for the motion picture industry," which will prepare a report on the subject for the MPTOA national conven-

(*Continued on page* 6)

Variety Club Meet To Open Tomorrow

ATLANTIC CITY, May 13.—Final arrangements have been completed for the three-day National Variety Club convention which opens Thursday at the Hotel Traymore here. The Variety Club rooms at the hotel will be open tomorrow evening for delegates who are expected to arrive then, including a large Boston group.

Mayor Taggart will present keys to the city to the visiting Hollywood players and officials from Washing-

(*Continued on page* 6)

Casey Confers in Capital on Labor

Pat Casey, producers' labor representative, went to Washington last night to confer with officials of the Wages and Hours Division regarding the recent hearings held in Hollywood on reclassification of studio workers. He is expected back here early next week.

Radio Conjures Up Control 'Bogey' to Hide Trust: Fly

By AL WEISMAN

ST. LOUIS, May 13.—James L. Fly, chairman of the FCC, today charged before the National Association of Broadcasters that "monopolistically controlled sources in the industry, to divert attention from the fact of monopolistic control in their hands, conjure up insistently the bogey man of Government operation."

Speaking at a luncheon at the Chase Hotel on the first formal day of the annual convention, Fly asserted that the FCC is "fully determined" not to permit control over broadcasting to gravitate into Government hands, "even in the most critical foreseeable emergency. But we are equally determined," he continued, "that such control shall at no time gravitate into the hands of two or three private groups."

Fly reiterated that decentralization

(*Continued on page* 8)

Golden and Lazarus In New W.B. Ad Jobs

Gil Golden has been placed in charge of consumer advertising, and Paul Lazarus, Jr., will add trade-paper advertising and trade promotion to his duties, in a realignment of the Warner advertising and publicity department in the East, made following conferences between Charles Einfeld, director of advertising and publicity,

(*Continued on page* 6)

Coast Flashes

Hollywood, May 13

REPUBLIC will hold quarterly regional sales meetings at the studio next Monday and Tuesday for Pacific Coast staffs; in Chicago May 22 and 23 for Midwest and Southern branches, and in New York May 27 and 28 for Eastern staffs, James R. Grainger, president, announced today. Branch managers, salesmen and bookers will attend.

•

Jack O'Donnell, writer, today filed a Federal Court suit for $50,000 against Paramount. He alleged breach of a contract under which he sold a story, "At Your Service," and received a down payment of $30,000, but did not receive screen credit for the picture allegedly made from the story, which, he said, was "Arise, My Love."

•

Paramount today announced it will from now on use a special fine grain film for all black and white release prints. Use of this film, the studio said, will give better pictorial resolution, improve sound recording, minimize background noises and eliminate graininess.

•

John Twist today was appointed a producer by RKO. His first assignment will be "Four Jacks and a Queen."

Personal Mention

JAMES MULVEY has arrived in California.

•

TOM PETTEY of the RKO studio publicity department, is visiting the home office.

•

HENRY GORDON, Paramount manager in Central America, is en route to New York from Ancon, Canal Zone.

•

BEN ZIMMERMAN, manager of the 56th Street Theatre, Philadelphia, is the father of a son, born at Lakenau Hospital last week.

•

JOHN BODLEY, manager of the Gaiety, Trenton, N. J., has been reelected president of the Conjurers Club in Trenton.

•

SAM LEFKO, RKO Philadelphia salesman, has had his tonsils removed.

JOHN A. OJERHOLM, general manager of Paramount's Olympic Laboratory, London, is scheduled to leave for Europe by clipper on Saturday after a visit here.

•

CHARLES DUTKIN, general manager of the Favini Circuit in Pennsylvania, has left the Naval Hospital, Philadelphia, after a long illness.

•

WILLIAM HICKS, owner of the Mayfair Theatre, Baltimore, is spending the week in Atlantic City.

•

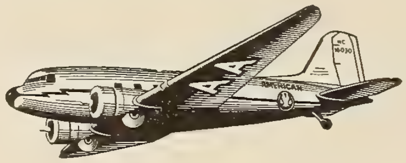
H. A. DOMAN, former manager of the Jeannette, Harris house in Pittsburgh, was honored at a luncheon before leaving for a new post in Winchester, Va.

•

FRANCIS RICKERTSON has returned to his post as assistant manager of the Warner, Worcester, Mass., after an illness.

'Sunny' Premiere In Frisco May 28

"Sunny," RKO musical produced by Herbert Wilcox, will have its world premiere at the Golden Gate Theatre, San Francisco, on May 28. Anna Neagle, Ray Bolger and others of the cast will attend. Terry Turner, head of RKO's field exploitation staff, will fly to San Francisco this week to arrange for the opening.



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ROUTE OF THE FLAGSHIPS

'Kipps' Opens Under Nose of Nazis' Guns

LONDON, May 13.—"Kipps," 20th Century-Fox British picture, was given a world premiere last night at Folkstone, in Kent, under the nose of Nazi guns. The premiere, with civic support and full representation of the London press and Americans, packed the Central Cinema, with 1,350 present. Officials participated with Michael Redgrave, Diana Wynward, stars, in the opening ceremonies.

The film was screened to the "music" of British fighter planes on patrol. Folkstone is located in one of England's heavy defense areas. "Kipps" was started during the blitzkrieg of September, 1940.

Film Carriers Open Annual Meet Here

National Film Carriers, Inc., opened its eighth annual convention at the Park Central Hotel yesterday. The first session was devoted to reports, a luncheon and discussion on film handling with distributor representatives. The meeting will end tonight. Charles C. Pettijohn, general counsel of the MPPDA, and Ed Kuykendall, president of the MPTOA, spoke at the luncheon.

Officers will be elected today. James P. Clark of Philadelphia is president of the association and is presiding. Other officers are Thomas Gilboy, vice-president, and Clint Weyer, secretary.

Korda in Tomorrow For UA Conference

Alexander Korda will arrive from the Coast by plane tomorrow to confer with United Artists home office sales executives. He is expected to remain here a week or 10 days before returning to the Coast.

Veteran Exhibitor Dies

GARDNER, Mass., May 13.—William P. Hall, 64, manager of the New Uptown, unit of the Giles Circuit, died here after a short illness. Forty-five years ago he entered show business as stage manager of the New Uptown when it was the Gardner Theatre.

Newsreel Parade

THE arrival of former King Carol of Rumania and Mme. Lupescu in Bermuda makes for interesting material as seen in the new issues. War subjects continue to be much in evidence while the Preakness race at Pimlico, Md., is given unanimous attention. Here are the contents:

MOVIETONE NEWS, No. 71—King Ca[illegible] and Mme. Lupescu in Bermuda. Churchill tours bombed Plymouth; Queen Mother Mary with wounded troops. General Wavell and General De Gaulle meet in Cairo. Air attack in Malta. British warship in Alexandria after Matapan victory. Homeless refugees in unoccupied France. Rebuild bridge at Niagara Falls. Livestock show in Sydney. Preakness race.

NEWS OF THE DAY, No. 269—Malta bombed. British ship in Alexandria. Ovation for Churchill in Plymouth. War victims in Southern France. Carol and Lupescu in Bermuda. Coast artillery maneuvers in Fort Story, Va. Preakness race. Yachting in San Francisco.

PARAMOUNT NEWS, No. 74—Preakness race. Matsuoka returns to Japan. German ship reaches Brazilian port. Hoover on convoys. Jack Benny celebrates radio anniversary. Refugees in unoccupied France. Carol and Lupescu in Bermuda.

RKO PATHE NEWS, No. 74—Carol and Lupescu land at Bermuda. Hoover opposes convoys. Malta bombed. Troops in Egypt send letters on film. Radio-controlled target used in artillery practice at Fort Story, Va. Queen Mary visits wounded soldiers. Livestock show in Sydney. Preakness race.

UNIVERSAL NEWSREEL, No. 979—Carol and Lupescu in Bermuda. Bombing raid in Malta. British ship in Alexandria. British take Italian prisoners in Eritrea. Churchill tours wrecked homes in London. Preakness race. Italian immigrants rounded up in New York. Radio-controlled target used in Fort Story, Va., practice. Jack Benny celebrates radio anniversary. Yachting in Seattle.

Bette Davis' Illness Causes 'Foxes' Delay

HOLLYWOOD, May 13.—Bette Davis collapsed today from what physicians said was general physical exhaustion. It is expected she will rest for 10 days, necessitating rearrangement of the shooting schedule of Samuel Goldwyn's "The Little Foxes," in which she is starred.

McLaglen at Ampa

Victor McLaglen, making a personal appearance at the Strand, will be a guest at the Ampa luncheon at the Hotel Edison tomorrow.

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Sues Drama Guild As Film Deal Fails

Milton Lazarus, member of the Dramatists Guild and the Authors League of America, filed a $25,500 damage suit against both organizations yesterday in N. Y. Supreme Court, charging that their insistence on the run provision of the basic pact caused a deal for sale of film rights to a play to fall through.

Lazarus claimed his play, "Every Man for Himself," was sought by Columbia Pictures. He charged the defendants with unreasonably enforcing the basic pact provision which requires a play to run a minimum of three weeks in New York before film rights can be sold.

Admiral Case Will Be Tried Monday

PHILADELPHIA, May 13.—The anti-trust suit of the Admiral Theatre, filed Jan. 3, 1940, against Warner Theatres and all major distributors, will be tried next Monday in U. S. District Court here before Judge Kirkpatrick. The suit, instigated by Ruben and Harry Shapiro, trading as the Harub Amusement Corp., seeks triple damages of $225,000, charging "monopolistic practices" in cutting of the theatre's product when it tried to reduce admissions from 25 to 15 cents, allegedly to meet the competition of the circuit houses in its vicinity.

Also listed for hearing on the same date before Judge Kirkpatrick is the Harrison Brothers' anti-trust action against the same defendants in a similar situation, seeking $210,000 triple damages. However, the case will be continued until the Fall term since the court will not hear two similar suits the same day. The Harrisons operate the suburban Lansdowne.

Mass. Law Aimed at Shuberts' Agency

BOSTON, May 13.—Governor Saltonstall of Massachusetts has signed a measure to prevent the Shubert theatre interests from engaging in the sale and resale of tickets through Herrick's, Inc., its own ticket agency.

Boston agencies had protested that they were unable to obtain good seats at Shubert-operated houses and that they could obtain none at all without paying 25 cents per ticket.

Complaint Is Filed Against Drive-In

STURBRIDGE, Mass., May 13.—The Drive-in Theatre here has run into difficulty. A petition, signed by neighbors, has been filed with the Selectmen, protesting an alleged noise nuisance. The petitioners request that it either be abated or the theatre closed.

Brown Erpi Director

Walter L. Brown, vice-president and general attorney of Erpi, was elected a director of the company at a meeting of the board yesterday, succeeding T. Brooke Price, who resigned to become general attorney of the A.T.&T. Co.

Feature Review

"Singapore Woman"

(Warners)

THE "Singapore Woman," in the person of Brenda Marshall, was known to be a never failing jinx but men who were attracted to her just couldn't stay away. That, and David Bruce who "cured" the jinx, form the basis for this modest little offering produced by Harlan Thompson and directed by Jean Negulesco.

Bruce, a successful young rubber planter, is awaiting the arrival of Virginia Field, to whom he is betrothed. With a party of friends he visits a Singapore dive and is shocked to find that Miss Marshall is a habitue of the place. Recalling that her father had helped finance him in his early projects, Bruce resolves to aid the girl.

Despite her resentment, Bruce takes her to his plantation for a brief rest cure. Matters get complicated when Miss Field arrives earlier than she is expected but Bruce decides to break the engagement and marry Miss Marshall. He invests his money in an effort to reestablish the mines once owned by Miss Marshall's father but the jinx starts taking hold and almost wrecks his life. Things straighten out, however, and Miss Marshall's unhappiness is ended by marriage to Bruce.

There is little of either novelty or humor in the story and only occasional flashes of action. Included in the cast are Jerome Cowan, Rose Hobart, Heather Angel, Richard Ainley and others.

Running time, 64 minutes. "A"*

EDWARD GREIF

"A" denotes adult classification.

Wis. Obscenity Law Passed by Assembly

MADISON, Wis., May 13.—The Wisconsin Assembly has passed and sent to the State Senate the Doyne bill, which puts teeth in the statutes controlling the sale and possession of obscene literature, films and advertising by making violation a felony instead of a misdemeanor.

Hamrick Employes Get 25% Wage Rise

SEATTLE, May 13.—Operating engineers and electricians employed in Hamrick-Evergreen's Fifth Avenue, Orpheum and Paramount theatres here have been granted a 25 per cent wage increase, effective at once. The increase follows the 10 per cent increase granted all other classifications.

Attendance Problem Chief Topic of MPTOA Meeting

Ranking the current failure of theatre attendance to respond to increased industrial activity and employment as the "most serious problem" confronting exhibitors today, Ed Kuykendall, MPTOA president, stated in a bulletin issued to members yesterday that the subject would be made the first order of business at the organization's national convention at the Ambassador Hotel, Los Angeles, June 9 to 12.

Forum on Regional Problems

The bulletin announced that the convention will conduct a first round table forum to include exhibitor leaders from all sections, at which regional problems and activities will be discussed and ideas exchanged. The forum will cover a wide variety of topics, such as taxation, legislation, sales policies, contract terms, buying problems, non-theatrical and radio competition cooperative advertising, double featuring, music tax legislation, national defense activities, screen advertising, cut-rate admissions and the like.

Participating in the forum will be such representative exhibitors as Charles H. Arrington, Rocky Mount, N. C.; R. R. Biechele, Kansas City; Max A. Cohen, New York; E. M. Fay, Providence; L. C. Griffith, Oklahoma City; H. V. Harvey, San Francisco; A. C. Hayman, Buffalo; S. J. Hyman, Huntington, W. Va.; J. H. Hone, Seattle; O. C. Lam, Rome, Ga.; Arthur Lockwood, Boston; Morris Loewenstein, Oklahoma City; Sidney Lust, Washington; Morris Leonard, Chicago; M. C. Moore, Jacksonville; Samuel Pinanski, Boston; Benjamin Pitts, Fredericksburg, Va.; Lewen Pizor, Philadelphia; Roy L. Walker, Lampasas, Texas; Fred Wehrenberg, St. Louis, and R. X. Williams, Jr., Oxford, Miss.

A partial list of the guest speakers for the convention includes Y. Frank Freeman, Paramount studio head and president of the AMPP; Walter Wanger, United Artists producer and president of the Academy of M. P. Arts and Sciences; Frank Capra, president of the Screen Directors Guild; Edward Arnold, president of the Screen Actors Guild, and Sheridan Gibney, president of the Screen Writers Guild.

Company Executives Invited

In addition, home office executives have been invited and many will be on the speakers' list. Among those who are expected from New York are: Barney Balaban, Paramount president; William F. Rodgers, M-G-M; Adolph Zukor, Neil Agnew, Leonard Goldenson and Austin Keough, Paramount; J. Noble Braden, American Arbitration Association; Gradwell L. Sears, Warners, and Herman Wobber, 20th Century-Fox.

Kuykendall will go to Atlantic City tomorrow to attend the national convention of Variety Clubs.

AAA Continues Meetings on Improvement

Further discussions designed to improve the functioning of arbitration in the industry will be held by Wesley A. Sturges, member of the administrative committee of the American Arbitration Association, and J. Noble Braden, A.A.A. executive secretary, with members of the arbitration panels at Pittsburgh and Chicago next week.

The discussions are designed to avoid unnecessary delays in hearings, and to familiarize arbitrators with the working of the system in all parts of the country.

In their meetings with the arbitrators, the A.A.A. officials review the industry's experience to date under the new arbitration machinery.

The first discussions were held two weeks ago in Philadelphia and Boston. The Pittsburgh meeting is scheduled for next Monday and the Chicago meeting for the following day.

Testimony Given at Milwaukee Hearing

MILWAUKEE, May 13.—Hearing on the clearance complaint of Evansville Theatre, Inc., against Paramount continued today with testimony by Mark Morgan, head of the theatre company; Ward Nordquist, manager of Evansville's Rex; Frank C. Clark, Paramount branch manager, and John Lenahan, branch booker. Paramount, in the testimony, sought to bring out that the Jeffries at Janesville is entitled to 14 days' clearance over the Rex at Evansville because its rental is greater. The hearing was adjourned until Thursday.

Hearing of the Macklin clearance complaint set for May 21 has been postponed to June 11.

RKO Dropped from Pittsburgh Complaint

PITTSBURGH, May 13.—RKO has been eliminated as a respondent in the "some run" complaint of Herman Lorence, operator of the 18th Street Theatre, Erie, which was heard at the local arbitration board here May 5. It is understood that a settlement satisfactory to both sides was reached.

The case is being continued against the other consenting companies and final briefs are scheduled to be filed by Saturday.

Detroit Hearing Delayed to May 24

DETROIT, May 13.—The clearance complaint of Julius and Milton London's Midtown Theatre, which was scheduled for hearing at the local arbitration board this week, was postponed to May 24.

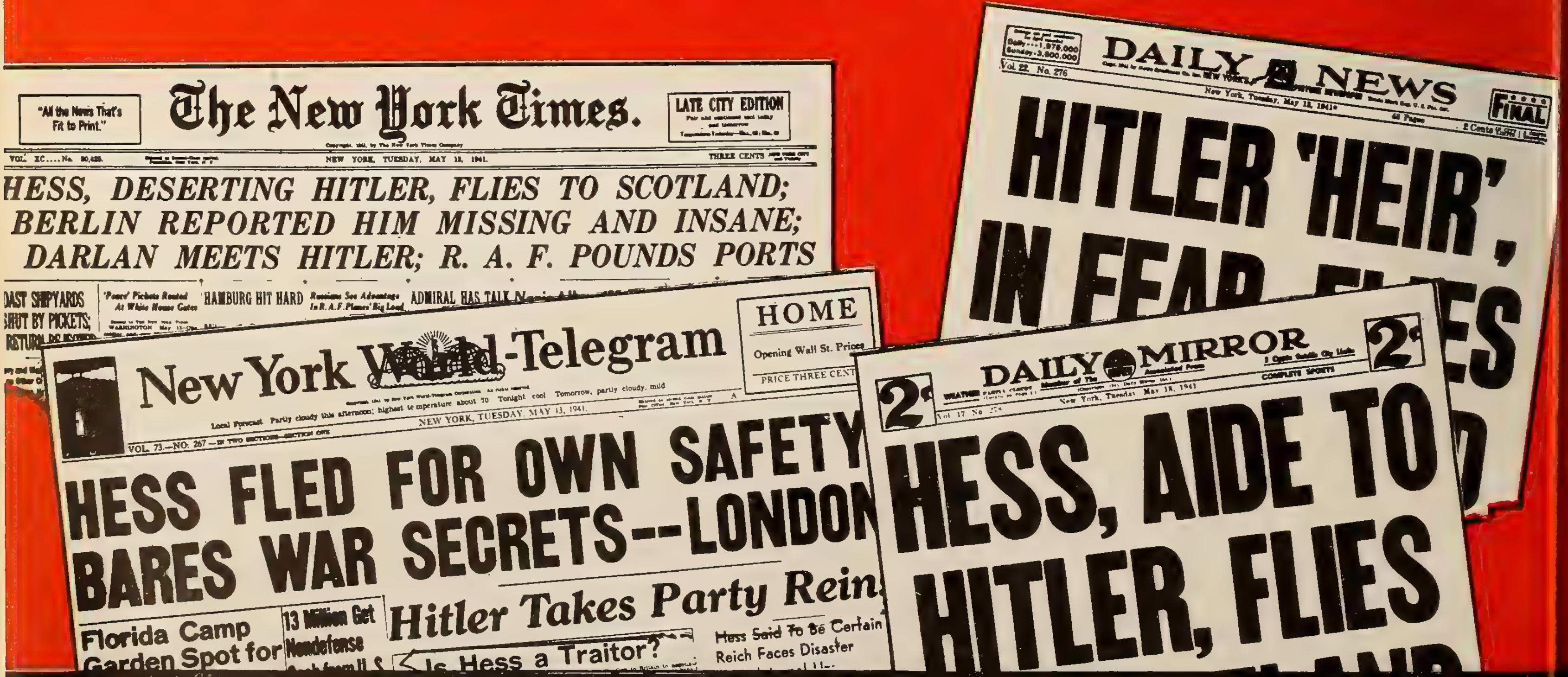
Consolidated Net in Quarter at $174,379

Consolidated Film Industries, Inc., has reported consolidated net earnings for the quarter ended March 31, last, of $174,379, after deducting depreciation and normal Federal taxes, and before provision for Federal surtax on undistributed profit. This compares with $179,299 for the 1940 quarter.

IS RUDOLF VOICE IN THE NIGHT?"

HERE'S HOW TO TIE IN FAST...AND CASH IN BIG!

TODAY'S HEADLINES ARE SELLING THIS PICTURE!



"All the News That's Fit to Print."

The New York Times.

LATE CITY EDITION

VOL. XC....No. 30,435. NEW YORK, TUESDAY, MAY 13, 1941. THREE CENTS

HESS, DESERTING HITLER, FLIES TO SCOTLAND; BERLIN REPORTED HIM MISSING AND INSANE; DARLAN MEETS HITLER; R. A. F. POUNDS PORTS

HAMBURG HIT HARD

ADMIRAL HAS TALK

DAILY NEWS

Vol. 22. No. 276

New York, Tuesday, May 13, 1941

FINAL

HITLER 'HEIR', IN FEAR

New York World-Telegram

HOME

Opening Wall St. Prices

PRICE THREE CENT

Local Forecast: Partly cloudy this afternoon; highest temperature about 70. Tonight cool. Tomorrow, partly cloudy, mild

NEW YORK, TUESDAY, MAY 13, 1941.

VOL. 73.—NO. 267

HESS FLED FOR OWN SAFETY BARES WAR SECRETS--LONDON

Hitler Takes Party Rein

Florida Camp Garden Spot for

13 Million Get Nondefense

Is Hess a Traitor?

Hess Said To Be Certain Reich Faces Disaster

DAILY MIRROR

2¢

COMPLETE SPORTS

New York, Tuesday, May 13, 1941

Vol. 17 No.

HESS, AIDE TO HITLER, FLIES

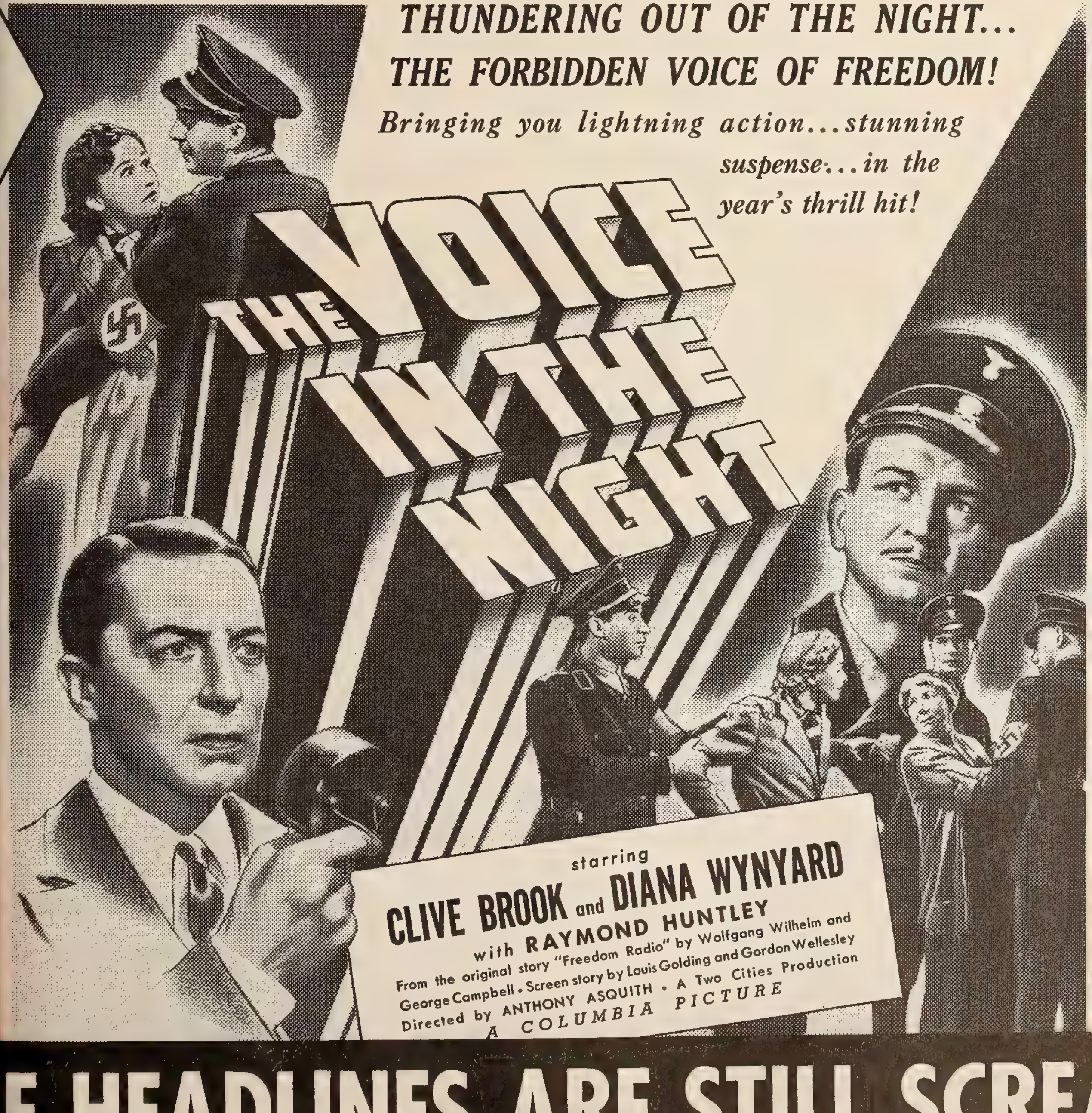
BOOK "VOICE IN THE NIGHT" WHILE

HESS "THE

IS RUDOLF HESS "THE VOICE IN THE NIGHT"...WAKING THE PEOPLE OF GERMANY OVER "FREEDOM RADIO"

SEE *The Motion Picture That Actually Comes To Life In Today's Headlines!*

SEE *The Secret Terror That Is Shaking Nazi Germany To The Core!*


THE VOICE IN THE NIGHT

THUNDERING OUT OF THE NIGHT...
THE FORBIDDEN VOICE OF FREEDOM!

Bringing you lightning action...stunning suspense...in the year's thrill hit!

starring
CLIVE BROOK and DIANA WYNYARD
with RAYMOND HUNTLEY
From the original story "Freedom Radio" by Wolfgang Wilhelm and George Campbell • Screen story by Louis Golding and Gordon Wellesley
Directed by ANTHONY ASQUITH • A Two Cities Production
A COLUMBIA PICTURE

Prints Available At All COLUMBIA EXCHANGES NOW!

E HEADLINES ARE STILL SCREAMING!

Nathanson to Resign F.P.C. Post, Report

(Continued from page 1)

interested in Nathanson's half of Paramount's Regal Films, distributor of M-G-M product in the Dominion. The M-G-M-Regal association is up for renewal.

According to trade reports Paramount and Fitzgibbons already have reached an understanding whereby he will become chief of FPC in the event that Nathanson retires.

Decision Due Today

The future status of N. L. Nathanson in Famous Players-Canadian is expected to be determined today at the annual meeting of company stockholders in Toronto.

Barney Balaban, Paramount president, and Austin Keough, general counsel, left for Toronto last night to attend the meeting. Paramount owns controlling interest in Famous Players-Canadian. Nathanson's contract as president of the company will expire in July, unless renewed in the meantime.

Equity Eliminates 'Exclusive Service'

Actors Equity yesterday accepted a provision drawn by its legal department on the "exclusive service" clause now in the standard performers' contract. The present "exclusive service" clause will be eliminated Sept. 1 and only featured players and stars hereafter will be permitted to sign contracts which prevent them from engaging in radio, films or other work without the consent of the stage producer by whom they are employed.

The Equity council also accepted the nominations of eight independent candidates for the council elections June 6. The nominees are Philip Bourneuf, Madie Christians, Allen Hewitt, Aline MacMahon, Myron McCormick, Theodore Newton, William Post, Jr., and Joanna Ross. There will be 23 candidates in all for the 10 five-year vacancies on the council and two candidates for the one three-year replacement. The nominating committee decided to experiment this year and named 15 regular candidates for the full term and two for the replacement giving the membership wider choice among the regular candidates.

'Barbara' in Bright Broadway Opening

(Continued from page 1)

Air Force Benevolent Fund.

Industry executives, as well as civic and society notables were in attendance, arriving in the glare of the lights which played on the theatre across Times Square. Henry Gladstone introduced several of the attending personalities in the lobby, during a broadcast over WHN from 8:15 to 8:30 P.M. The film opens this morning on a continuous run policy, with prices scaled from 30 cents to 55 cents.

Exhibitors Wary on Theatre Television; Fear Regulation

(Continued from page 1)

tion in Los Angeles next month. Leonard Goldenson, Paramount theatre head, and Arthur H. Lockwood, Boston exhibitor, are members of the committee.

Typical exhibitor viewpoints on theatre television are expressed in the following messages received by MOTION PICTURE DAILY:

E. C. Grainger, president of Shea Theatre Circuit: "I believe that theatre television of important spot events, such as the World's Series games, outstanding football games, Presidential address and the like, can find a place on theatre programs. At present, however, I doubt that television can be the main feature. While future developments might possibly alter this opinion, I believe its cost limits its suitability now to the larger situations only."

Disapproves U. S. Control

Harry K. Hecht, Lincoln Theatre, Passaic, N. J.: "Having seen previous television experiments, I see in large screen broadcasts a tremendous improvement over them. I take it for granted that wave lengths will be regulated in some way to protect commercial television users, such as theatres. I do not approve of Government control over theatre television. The present cost of theatre television, with few exceptions, may be prohibitive, but if this is overcome, I believe the new entertainment medium will be 'a shot in the arm' for the theatre business."

Leon Rosenblatt, Rosenblatt & Welt Theatres, New York: "I feel that theatre television can be used for current events. As for entertainment, it is a new art and a different technique. New stars must be developed for its audience. Presumably, the cost of equipment plus weekly cable charges will make it prohibitive for most theatres at this time."

J. R. Springer, Springer Circuit, New York: "Theatre television is at least three to five years away on the basis of its present development and the availability of sufficient program material. The weekly overhead probably would be enormous and the admission charge, as a result, would have to be practically the same as that charged for the actual event. I doubt whether the public would pay the price.

"Government control is an unknown factor.

"In my opinion, the industry has nothing to fear from the advent of television, as the quality of its program material is far inferior to that now offered in our theatres, and even the most important events would attract only a limited audience. If in the future, television is perfected and its cost brought within range, I believe it will have a place on theatre programs comparable to that of the newsreel now."

Myers Sees No 'Panic'

Abram F. Myers, chairman of the board of Allied States Association: "RCA demonstrated television's possibilities but there is no occasion for panic. Many factors, including the dearth of suitable subjects, argue against its quick, widespread adoption. It cannot succeed merely as a novelty. Moreover, it must have circulation, which means developing equipment at permissible prices for all types of theatres. It's sound all over again, but not so sudden or revolutionary. Allied hopes RCA will remember how, at Allied's request, it developed the first low-price standard sound equipment for independent exhibitors. Television must be available to all."

See Passage of Ohio Television Measure

COLUMBUS, May 13.—Legislative observers predict ultimate passage of the bill introduced by Representative Ford at the instance of P. J. Wood, secretary of the ITO of Ohio, "extending the scope of the Department of Workshops and Factories so as to give it jurisdiction over theatres showing televised pictures." This would include television theatres coming under the State building code regulations. The House late last night concurred in Senate amendments on the measure.

Theatre Ballroom to Aid Juvenile Center

PITTSBURGH, May 13.—Harry Hendel, owner of the New Granada Theatre, has built a ballroom accommodating 2,000 dancers above his theatre, and will operate it for the benefit of Hill City, juvenile municipality.

Booking name bands—the first was Charlie Barnet—Hendel will contribute all profits to Hill City, which was established several years ago by Hendel and Howard McKinney as a juvenile crime prevention agency in the Hill district.

Variety Club Meet To Open Tomorrow

(Continued from page 1)

ton. A 16mm. film record will be made of the events during the three days of the convention, these pictures to be shown in local clubs after the convention.

A deep sea fishing trip and sailing party highlight Thursday's program, while the Pan American Night of Nights is the major event Friday. A United Artists' cocktail party Saturday afternoon will be followed by the annual banquet Saturday evening, when the winner of the year's Humanitarian Award will be announced.

Canada 1940 Gross Total $37,600,000

(Continued from page 1)

which was an increase of 38 per cent in admissions and 48 per cent in receipts, compared with 1939.

Percentage increases in the number of admissions in 1940 over 1939 for other cities, for which separate figures are available, include: Montreal, two per cent; Toronto, six per cent; Hamilton, 11 per cent; Ottawa, 10 per cent; London, 15 per cent; Winnipeg, three per cent; Vancouver, four per cent.

Schaefer Signs Breen as Chief Of RKO Studio

(Continued from page 1)

Administration has been named by Will H. Hays, MPPDA president.

Breen, who is a native of Philadelphia, started his career as a newspaperman in that city. He was appointed an assistant to Hays in January, 1930, and after a brief associati[illegible] with the MPPDA New York office, he aided in the organizing of the Production Code Administration and served as its first and only director to date. He tendered his resignation about two months ago but it was not accepted by Hays until recently.

Writers Expected to Reject Studio Plan

HOLLYWOOD, May 13. — Screen Writers Guild members are not expected to approve producers' counter proposals to Guild bargaining demands, which will be disclosed to members at a mass meeting on Monday, it was indicated today. This is expected to pave the way to sound out strike sentiment.

A writers' committee headed by Sheridan Gibney, president, met last night with a producers' committee and while both sides refused comment on the counter proposals, it was learned that the terms are unacceptable to the Guild.

Radio Writers Guild, also an affiliate of the Authors League of America, pledged support in event of a strike. Howard Lindsay, ALA vice-president, today wired the SWG that the Dramatists and Authors guilds in New York have called emergency meetings to adopt "sympatheic resolutions of support."

Golden and Lazarus In New W.B. Ad Jobs

(Continued from page 1)

and Mort Blumenstock, Eastern department head.

In addition, Sidney Rechetnik has been promoted to press book editor and exhibitor service work. Lee Blumberg has been promoted to take charge of field exploitation. Don Gillette is new trade-paper contact and house organ editor. Morton Gerber has been promoted to head short subjects publicity.

Air Film in Spanish

A Spanish version of "The Devil and Miss Jones," RKO film, was broadcast last night on the NBC short wave program sponsored by RKO.

Hungary Bans All Films from England

British films have been banned from Hungarian theatres, according to news dispatches from Budapest, published yesterday. The decision thus far does not affect American motion pictures, according to the report.

'Ziegfeld' Is Seattle Best With $8,900

SEATTLE, May 13.—"Ziegfeld Girl" was the best attraction, taking a strong $8,900 at the Fifth Avenue. The weather was fair. Night baseball [illegible] was highly competitive.

Estimated receipts for the week ending May 9:

"The Great Dictator" (U. A.)
"Dead Men Tell" (20th-Fox)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,300. (Average, $4,000)
"Ziegfeld Girl" (M-G-M)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,900. (Average, $7,000)
"Penny Serenade" (Col.)
"Break the News" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days, 2nd week. ("Break the News," matinees only.) Gross: $5,700. (Average, $5,000)
"Men of Boys Town" (M-G-M)
"Scattergood Baines" (RKO)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 4th week. Gross: $3,000. (Average, $4,000)
"Nice Girl?" (Univ.)
"Model Wife" (W. B.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $6,400. (Average, $6,000)
"Sign of the Wolf" (Mono.)
"Dark Streets of Cairo" (Univ.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Vaudeville. Gross: $4,500. (Average, $5,000)
"Road to Zanzibar" (Para.)
"The Penalty" (M-G-M)
PARAMOUNT—(3,050) (30c-40c-50c) 7 days, 2nd week. Gross: $5,800. (Average, $6,000)

'Bishop,' Heidt Unit $22,500, Pittsburgh

PITTSBURGH, May 13.—"Cheers for Miss Bishop" and a stage show featuring a Horace Heidt unit, drew $22,500 at the Stanley. "Ziegfeld Girl" accounted for $6,300 at the Warner. Gene Autry at the Rodeo and warm weather offered competition.

Estimated receipts for the week ending May 8:

"That Night in Rio" (20th-Fox)
FULTON—(1,800) (28c-44c) 7 days. Gross: $5,200. (Average, $5,000)
"Meet John Doe" (W. B.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $14,500. (Average, $13,000)
"Road to Zanzibar" (Para.)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $3,000. (Average, $3,000)
"Model Wife" (W. B.)
"Blondie Goes Latin" (Col.)
"The Big Boss" (Col.)
SENATOR—(1,900) (28c-39c-55c) 7 days, split week. Gross: $4,200. (Average, $5,000)
"Cheers for Miss Bishop" (U. A.)
STANLEY—(3,600) (28c-44c-66c) 7 days. On stage: Horace Heidt unit. Gross: $22,500. (Average, $18,000)
"Ziegfeld Girl" (M-G-M)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $6,300. (Average, $5,000)

K-A-O and Keith Net Reported Separately

The combined Keith-Albee-Orpheum and B. F. Keith Corp. earnings for the first quarter ended April 5 were reported at $371,837 in MOTION PICTURE DAILY yesterday. The reports should not have been combined since B. F. Keith Corp. is a subsidiary of K-A-O, and the $135,157 quarterly net of the former already is reflected in the $236,679 net of the parent company.

Admit Service Men Free

NEWARK, May 13. — Palisades Amusement Park has announced that all service men in uniform will be admitted free to the resort.

'Serenade' Takes $13,900 in Capital

WASHINGTON, May 13.—"Penny Serenade," plus a stage show featuring Joe Cook, drew $13,900 at Warners' Earle. "The Devil and Miss Jones" scored $7,500 in the fourth week at the RKO Keith's.

Estimated receipts of the week ending May 7-8:

"The Devil and Miss Jones" (RKO)
RKO-KEITH'S—(1,834) (39c-55c) 7 days, 4th week. Gross: $7,500. (Average, $6,000)
"The People vs. Dr. Kildare" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Patricia Bowman, Arren & Broderick, Hollywood Canines, John Gallus, Rhythm Rockets. Gross: $15,000. (Average, $15,500)
"Penny Serenade" (Col.)
WARNER'S EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days, 2nd week. On stage: Joe Cook and his 1941 Daffy-Dils. Gross: $13,900. (Average, $12,500)
"The Great Lie" (W. B.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days, return engagement. Gross: $4,600. (Average, $4,500)
"Ziegfeld Girl" (M-G-M)
LOEW'S PALACE—(2,300) (39c-55c) 7 days, 2nd week. Gross: $12,500. (Average, $12,000)
"The Lady Eve" (Para.)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $5,200. (Average, $4,000)

'Melody' and Show $15,000 in Buffalo

BUFFALO, May 13.—"Melody for Three," aided by a stage revue at the Twentieth Century was tops here with $15,000. "Penny Serenade" was a hit at the Lafayette with $11,000.

Estimated receipts for the week ending May 10:

"The Great American Broadcast" (20th-Fox)
"The Cowboy and the Blonde" (20th-Fox)
BUFFALO—(3,489) (30c-55c) 7 days. Gross: $7,000. (Average, $12,000)
"Ziegfeld Girl" (M-G-M)
"Strange Alibi" (W. B.)
GREAT LAKES—(3,000) (30c-55c) 7 days, 2nd week. Gross: $8,100. (Average, $7,500)
"The People vs. Dr. Kildare" (M-G-M)
HIPPODROME—(2,100) (30c-35c-55c) 7 days. The Prize Winners, a Major Bowes revue, on stage, with Bernie West, Jack Carter, Minda Lang, The Three Tops, Curley Williams, George Gillette, The Andrews Trio and others. Gross: $8,000. (Average, $6,800)
"Melody for Three" (RKO)
TWENTIETH CENTURY—(3,000) (30c-35c-50c) 7 days. The International Casino revue on stage with Sibyl Bowan, Gautier's Bricklayers, Lew Hoffman, Reynolds & White, The Gordon Trio, The Stanley Kozloff Dancers, Bette North, Lee Kelson and the Howard Dancers and Showgirls. Gross: $15,000. (Average, $7,500)
"Penny Serenade" (Col.)
"Meet Boston Blackie" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $11,000. (Average, $6,300)

WHN Ready in Fall With 50,000 Watts

WHN will have its 50,000-watt transmitter in operation by the Fall, it was disclosed yesterday. The transmitter is under construction at East Rutherford, N. J. WHN is owned by Loew's Inc.

The plant will consist of a two-story building to house transmitting apparatus and two self-supporting antennas, each 400 feet high with a 680-foot catwalk to the towers. The building will measure 60 by 60 feet. There also will be an auxiliary studio capable of housing an orchestra. The house will be air-conditioned. In the event of failure of the 50,000-watt transmitter during operations, an automatic switch will immediately throw a 5,000-watt auxiliary transmitter on the air.

Pittsburgh Gain from Wage Rise Is Seen

Pittsburgh, May 13.—Theatres, night clubs, parks and other types of entertainment anticipate a record Summer. More than $17,000,000 in monthly payrolls will be distributed by the steel industry alone, as a result of wage increases recently put into effect. Total monthly payrolls for all city industries exceed $34,000,000, as compared with $26,000,000 in the average month of 1929.

'Ziegfeld' $9,800 For Indianapolis

INDIANAPOLIS, May 13. — "Ziegfeld Girl" on a dual gave Loew's $9,800. Eddy Duchin's band on the stage and "Mr. District Attorney" on the screen brought $11,000 to the Lyric. Cole Brothers Circus gave Saturday and Sunday competition. The weather was warm.

Estimated receipts for the week ending May 8-9:

"Flame of New Orleans" (Univ.)
"Model Wife" (Univ.)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $5,800. (Average, $6,000)
"Lady from Cheyenne" (Univ.)
"Vivacious Lady" (RKO)
INDIANA—(3,200) (28c-33c-44c) 6 days. Gross: $4,000. (7 day average, $6,000)
"Ziegfeld Girl" (M-G-M)
"The Penalty" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $9,800. (Average, $7,000)
"Mr. District Attorney" (Rep.)
LYRIC—(2,000) (30c-40c-50c) 7 days. Stage: Eddy Duchin's band and show. Gross: $11,000. (Average, $8,000)

'Hamilton' Is Philadelphia High, $21,000

PHILADELPHIA, May 13.—"That Hamilton Woman" gave the Boyd a big $21,000.

Estimated receipts for the week ended May 7-10:

"That Uncertain Feeling" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: $7,000. (Average, $9,000)
"Men of Boys Town" (M-G-M)
"Rage in Heaven" (M-G-M)
ARCADIA—(600) 35c-46c-57c) 8 days. Gross: $3,100. (Average, $2,600)
"That Hamilton Woman" (U. A.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $21,000. (Average, $13,000)
"There's Magic in Music" (Para.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Raymond Scott's orchestra, Jimmy Byrnes, Gloria Hart, Clyde Burke, Al Bernie, and Gil & Bernice Maison. Gross: $17,500. (Average, $14,000)
"Ellery Queen's Penthouse Mystery" (Col.)
FAY'S—(2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Budan, Evette, Christy & Brown, Mardo & Kaye with Roger, The Dancing Starrs, and Tom Barry. Gross: $6,000. (Average, $6,900)
"The Devil and Miss Jones" (RKO)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $14,700. (Average, $13,000)
"Road to Zanzibar" (Para.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $5,000. (Average, $3,000)
"The Great Dictator" (U. A.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,500. (Average, $4,500)
"Ziegfeld Girl" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 4 days, 3rd week. Gross: $7,500. (Average, $14,000)
"Man Made Monster" (Univ.)
STANTON—(1,700) (35c-41c-46c-57c) 7 days. Gross: $5,200. (Average, $4,500)

YOU HAD A SLICE OF ARMY BEEF IN "BUCK PRIVATES"... NOW HERE COMES A DISH OF NAVY GRAVY!
Bud ABBOTT & Lou COSTELLO
DICK POWELL
IN THE NAVY
with THE ANDREWS SISTERS • Claire Dodd • Dick Foran
Butch & Buddy • Shemp Howard • Sunnie O'Dea • Condos Bros.
Directed by ARTHUR LUBIN • Associate Producer ALEX GOTTLIEB
GET THAT NAVY GRAVY MAY 30TH! DECORATION DAY NATIONAL RELEASE
A UNIVERSAL PICTURE

Fly, Miller in Exchange as NAB Meets

F.C.C. Facing Senate Probe On Net Rules

WASHINGTON, May 13.—Postponement of application of the FCC's new network regulations until the Senate Interstate Commerce Committee can make a thorough investigation of the recent chain broadcasting report was proposed today in a resolution introduced in Congress by Senator Wallace White of Maine.

Senator White's resolution would have the committee, of which he is a member, not only study the report itself, but the authority of the commission to issue the regulations and the whole regulatory setup of the FCC.

Senator White pointed out that the Commission is an administrative agency with certain specified powers and duties. Its new regulations have been alleged to constitute an attempt on its part to exercise supervisory control of programs, business management and policies of the networks and individual stations, and that there is question of their legality because of the Supreme Court decision in the Sanders Brothers case, which construed the Communications Act as vesting no such supervisory power in the commission.

Broad Investigation

The committee, which could act through a sub-committee, would be given a broad program for investigation, including the probable effects of the proposed regulations on the broadcasting industry and, in particular, on the networks and their licensees as well as independent stations; the effect on the quality of programs, and whether they will contribute to Government ownership or strict regulation as a public utility.

The committee also would consider whether the proposed regulations are an attempt on the part of the Commission to declare the existence of a monopoly.

To enable the committee to make an intelligent study, the Commission would be directed to submit to it the full record and all documents, letters and other papers relating to the chain investigation, and to hold up application of the rules for the period of the committee inquiry and 60 days thereafter.

The committee would be authorized to spend up to $5,000 on the probe, to be taken from the contingent funds.

Expert Quiz Birthday

"Information, Please," heard on NBC-Red Fridays at 8:30 P.M., will celebrate its third birthday May 23. For the occasion, Clifton Fadiman, who usually asks all the questions, will turn expert while Deems Taylor will be quizmaster.

Radio Conjures Up Control 'Bogey' to Hide Trust: Fly

(*Continued from page* 1)

is the best protection against monopoly control. He declared that the FCC had specifically rejected day-to-day control over stations and networks but said that the way to decentralize power was to return it to the individual station licensees.

Neville Miller denied Fly's charges that the "bogey man of Government operation" was being used to divert attention from monopoly charges. "May it not also be said that those who favor Government operation consistently conjure up bogey men of monopoly to divert attention?" he asked, bringing forth vigorous applause from the several hundred assembled broadcasters.

Forecasts Hot Discussion

Miller predicted that tomorrow's meeting at which Mark Ethridge, general manager of the Louisville *Courier-Journal,* will speak, will be marked by heated discussion of the FCC report. Fly will also take part in these discussions.

"I also would like to say," Miller continued to another burst of applause, "that in patriotism I think we in the broadcasting industry yield to no one." He said he thought that the industry was rendering a service to the FCC by pointing out mistakes made in solving problems of the industry.

Vice-President Henry A. Wallace, addressing the broadcasters from Washington, said that home defense is as important as military defense. "The home front," he declared, "includes every kind of service, and high on the list is the service of entertainment, information and inspiration that is provided by the radio." He said that radio must go on disseminating unbiased news and help the defense program by describing and encouraging the tasks which have to be undertaken.

Independents Decide To Fight FCC Report

St. Louis, May 13.—The Independent Radio Network Affiliates today voted unanimously to fight the FCC monopoly report as "impairing services rendered to the public." Officers of the organization were authorized to take whatever steps they believe necessary.

Women's Committee Makes Air Awards

Limiting its consideration this year to programs most effectively serving the cause of democracy, the Women's National Radio Committee yesterday made its annual awards at a luncheon at the Hotel Astor.

Among forums, the "Chicago Round Table" (NBC) was given first prize; "America's Town Meeting of the Air" (NBC) was second; and "People's Platform" (CBS) and "American Forum of the Air" (MBS) were also cited.

Swing Best Analyst

Raymond Gram Swing (MBS) was voted the best news analyst, followed by H. V. Kaltenborn (NBC).

"Headlines and Bylines" (CBS) took first prize among network educational programs. "School of the Air of the Americas" (CBS) was second. "Americana Quiz" (WMCA) was honored among the group for educational programs by local stations.

In the miscellaneous classification, "I'm an American" (NBC) won first prize.

Medal to Mrs. Roosevelt

Medals were awarded to Mrs. Franklin D. Roosevelt, Mrs. J. Borden Harriman, Raymond Massey and Lily Pons for significant contributions to the cause of democracy. Mme. Yolanda Mero-Irion, W.N.R.C. chairman and founder, made the awards. Speakers included Eve Curie, representing the Free France movement; David Sarnoff, RCA president; William S. Paley, CBS president; John Gunther, NBC commentator; Dr. Antonio Gonzales, and Mrs. Lytle Hull, chairman of the Radio Listeners Guild.

Roosevelt Letter to MBS on FCC Not Endorsement, Early Tells NAB

Washington, May 13.—President Roosevelt's letter to Mutual officials on the FCC monopoly report should not have been interpreted as an endorsement, Stephen T. Early, White House secretary, declared today. Early sent a telegram to Presidential Administrative Assistant Lowell Mellet, who is attending the National Association of Broadcasters convention in St. Louis, asking the latter to inform the convention that the President had made no statement of policy on the report.

Early explained he had been informed a letter written to Mutual officials had been misconstrued as a statement of White House views when it was merely a "polite acknowledgement" of a telegram received. He expressed regret that the letter was being used as a Presidential statement, and said it merely expressed the President's belief that a "just and equitable solution" would be found for the problems dealt with in the report.

WOR, WGN Don Lee, Quit Broadcasters

ST. LOUIS, May 13.—WOR, WGN and the Don Lee Broadcasting System of Hollywood resigned from the National Association of Broadcasters today. WOR is owned and operated by the Bamberger Broadcasting Service, Inc., and WGN, Inc., is the *Chicago Tribune* station. The three are principal stockholders of Mutual Broadcasting System.

The resignation of these three powerful units of the radio world is the first defection since the organization of the NAB, and results from the radio-Ascap war.

Alfred J. McCosker, president of WOR and chairman of Mutual, gave the reasons for resigning in a letter to Neville Miller, NAB head, and in which he stated:

"It is entirely clear that your association is no longer representative of the entire industry and that you are taking a position in various matters adverse to our interests and in favor of those of others. For these reasons we hereby tender our resignation from your association."

E. M. Antrim signed for WGN and L. Allen Weiss for the Don Lee System.

The break with NAB came after the NAB Board had given Miller a vote of confidence and renewed his contract until July, 1944.

Twenty-four board members voted in favor of the resolution but Fred Weber, Mutual general manager, dissented. The resolution also approved all actions of Miller and the NAB executive committee in connection with the FCC monopoly report and the music situation.

Ethridge Resigns F.D.R. Appointment

St. Louis, May 13.—Declaring that an open fight with the FCC over the latter's monopoly report seemed to be the only alternative, Mark Ethridge is reported as resigning his special appointment by President Roosevelt to study the concentration of control in radio.

AGVA Unit to Elect

PHILADELPHIA, May 13.—The local AGVA chapter will hold its election for officers and board of directors at a meeting May 21 at the Commodore Hotel.

Lois Andrews Replaced

HOLLYWOOD, May 13.—Columbia has replaced Lois Andrews (Mrs. George Jessel) by Joan Woodbury in "Girls from Panama."

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

V. 49. NO. 95 NEW YORK, U. S. A., THURSDAY, MAY 15, 1941 TEN CENTS

U. A. English First Quarter Gross Up 25%

In Excess of $9,000,000 Seen for Year

By SHERWIN A. KANE

United Artists' gross business in Great Britain for the first quarter of this year exceeded by 25 per cent the previous high for the company in a corresponding quarter, George Archibald, joint managing director for the company in Britain, reported yesterday.

[According to last reports, this would put U.A. business in excess of $9,000,000 for the year.]

The United Artists official reported that theatre attendance outside of the cities which have been bombed repeatedly continues to be very good. With Britain's two-hour daylight sav-

(*Continued on page 5*)

Fly Is Gagged at NAB Convention

By AL WEISMAN

St. Louis, May 14.—James Lawrence Fly, chairman of the Federal Communications Commission, was prevented from answering charges of "breach of faith" against the Commission in connection with its monopoly report which were made by Mark Ethridge before assembled delegates today at the NAB Convention at the Chase Hotel.

The impression of delegates had been that Fly would be given an opportunity to reply to Ethridge, but following Ethridge's talk, Neville Miller,

(*Continued on page 8*)

Theatre Wins 'Some Run' from 20th-Fox

Buffalo, May 14.—Twentieth Century-Fox was directed to offer "some run" of its 1940-'41 product to Richard De Toto, operator of the Genesee Theatre, Mt. Morris, N. Y., in an arbitration decision handed down here by Waldon D. Smith, arbitrator.

De Toto's complaint was the first filed with the local board, having been made on March 1. Warners also was named in the complaint but subse-

(*Continued on page 5*)

Exhibitors Get Play Tickets from Col.

All out-of-town exhibitors visiting New York will be given tickets to "Pal Joey" and "My Sister Eileen," the two stage plays recently purchased by Columbia for the screen, by contacting the home office sales department, the company announced yesterday.

The two productions will be on Columbia's new season schedule and the company wants exhibitors to get an advance idea of their entertainment qualities, it was said.

'Hey Rube!' Variety Clubs Meet in A. C.

By SAM SHAIN

Atlantic City, May 14.—This city takes the spotlight today as early arrivals began to arrive for the three-day annual convention of the National Variety Club, opening tomorrow at the Hotel Traymore.

Highlight of tomorrow's opening session will be an exhibitor-producer forum, with producer representatives answering questions of exhibitors.

Approximately 1,300 delegates are expected from the Naitonal Variety Club's numerous tents over the country, as well as industry executives from the home offices and a group of players from Hollywood. Fishing parties in the early afternoon and a boxing and wrestling show in the evening are scheduled also for tomorrow.

On Friday, most of the day will be devoted to a business session of the Variety Clubs of America in the Grand Ballroom of the Traymore. The various local clubs will report to the convention on their charitable activities for the past year and plans

(*Continued on page 5*)

Sufficient Program Material Seen for Theatre Television

Dan Halpin, who is handling theatre television for RCA Manufacturing Co., believes that, contrary opinions notwithstanding, there will be sufficient program material for the medium here. Halpin bases this opinion on a study made by RCA of about 40 possible program sources in the New York metropolitan area.

These include, among others, Metropolitan Opera House, Madison Square Garden, Grand Central Palace, Gay Blades Ice Rink, St. Nicholas Arena, C.C.N.Y., Columbia University, Polo Grounds, Yankee Stadium, N.Y.U., Baker Field, Fordham University, Empire Race Track, Westchester County Center, Westchester Tennis Club, New York Coliseum, Randall's Island Stadium, Astoria Pool, LaGuardia Airport, Madison Square Garden Bowl, Jackson Heights Tennis Club, Fort Hamilton, Ebbets Field,

(*Continued on page 8*)

Lipton Scoop Ties in Hess Flight with Film

David Lipton, director of advertising and publicity for Columbia, scored a distinct scoop yesterday, according to general industry opinion, with a two-page trade advertisement in Motion Picture Daily, tying in the sensational flight of Rudolf Hess, Nazi leader, to England, with the Columbia picture, "The Voice in the Night."

The film, an English production concerning the activities of the operators of secret radios broadcasting to the German people, features Clive Brook and Diana Wynyard. The theme of Lipton's advertisement is the linking of Hess with that activity, and the ad features reproductions of the Hess exploit headlines from the New York newspapers of Tuesday.

Minn. Attorney General Is Leaving Anti-Five Enforcement to Counties

Minneapolis, May 14.—Attorney General J. A. A. Burnquist of Minnesota is leaving enforcement of the state's new anti-blocks-of-five law to the county prosecuting attorneys, his office said today. The Attorney General, it was said, has made no ruling whatever on whether the film companies will or will not be permitted to sell pending determination of the law's validity.

Thus far none of the county attorneys has said or done anything about the law.

It appeared likely that there would be no need for enforcement. All major exchanges have halted the sale of pictures until the status of the law is cleared up. There were reports that any violations, should they occur, would be deprecated by authorities, but they naturally would not say, privately or otherwise, that they intended not to enforce a state law.

Fitzgibbons Is Named Head of F. P. Canadian

Nathanson Will Direct New Dominion Circuit

Toronto, May 14.—J. J. Fitzgibbons was elected president and managing director of Famous Players Canadian Corp. following the resignation of N. L. Nathanson at the annual meeting of the company's stockholders here today.

[*The action confirms* Motion Picture Daily's *story of yesterday.*]

Nathanson will head General Theatres Corp. of Canada, a new circuit said to comprise 75 theatres, which will have its headquarters in the Royal Bank Bldg. here, directly above the two floors occupied by FPC.

Resigning with Nathanson were Thomas J. Bragg, FPC secretary-treasurer for many years, and Clarence Robson, division manager of theatres, who has been associated with Nathanson for 21 years. They were replaced by R. W. Bolstad, who was elected a director, vice-president and treasurer, and Noel G. Barrow, who was elected a director and secretary.

Morris Stein, district manager of theatres in Central and Eastern On-

(*Continued on page 5*)

Col. Meet to Follow Executives' Session

Columbia's executive sales meeting in Chicago, June 7 and 8, will be followed by a national sales convention later, the company announced yesterday.

The Chicago meeting, which will be attended only by home office executives, division and branch managers, will discuss production and sales plans for the new selling season, and also

(*Continued on page 5*)

In Today's Issue

Three reviews: "Love Crazy" (from Hollywood), Page 5; "Redhead" (from Hollywood), "The Great Swindle," Page 6. Key city grosses, Page 6. Senator Wheeler indicates approval of broadcasting probe, Page 8.

Coast Flashes

Hollywood, May 14

M. J. SIEGEL, Republic Productions president, today announced the company plans to spend about $1,750,000 in new construction in the next two and a half years, $250,000 of which will be spent in the next four months. He said $750,000 has been invested in new construction since last Oct. 15. Contemplated are a new sound stage, property department, dressing rooms, business street set, restaurant, and permanent sets on the back lot.

•

The Screen Writers Guild is in charge of arrangements for the first national writers' conference at the University of California, Los Angeles, May 23 and 24. About 2,000 delegates are expected. "Economic and Creative Problems of the Writer" will be discussed. The Authors League of America, in collaboration with the screen, drama and radio writers and authors guilds will participate.

•

A deal with Warners' 17 Coast theatres for next season's program was set today by James R. Grainger, Republic president, and Francis Bateman, Los Angeles branch manager, with Lou Halper, the circuit's Coast manager, and Leo Miller, film buyer.

Clark Reelected to Head Film Carriers

James P. Clark of Philadelphia was reelected president and treasurer of National Film Carriers, Inc., at the closing session yesterday of the association's convention at the Park Central Hotel. Thomas Gilboy of San Francisco, vice-president, and Clint Weyer, secretary, also were reelected.

Appointed to the executive committee were Clark, George Callahan of Pittsburgh, Earl Jameson of Kansas City, Charles Trampe of Milwaukee and John Vickers of Charlotte.

New safety regulations similar to those followed at the exchanges were adopted by the organization in the handling of films.

W. B. Put Hess Flight Scene Into New Film

HOLLYWOOD, May 14.—Warners announced yesterday that the flight of the Nazi leader, Rudolph Hess, from Germany to Scotland will be incorporated in the film, "Underground," recently completed picture of anti-Nazi activity in Germany. The release of the film will be advanced from July to June.

'Kane' to Continue Chicago Roadshow

CHICAGO, May 14.—"Citizen Kane" will close at the Palace Theatre next Monday following a two-week run and the house will resume the following day with its regular policy of double features. The Orson Welles picture will continue its roadshow engagement at the Woods Theatre indefinitely.

Para. to Make 'Andrew'

HOLLYWOOD, May 14.—"The Remarkable Andrew," Dalton Trumbo novel, will be made by Paramount with William Holden and Brian Donlevy.

Personal Mention

HERMAN WOBBER, 20th Century-Fox general sales manager, and W. J. KUPPER, Western division manager, have delayed their departure from the Coast to the home office for several days.

•

MOE STREIMER, United Artists special representative, is recuperating from an illness. He is expected back at work in two weeks.

•

GEORGE LOUKIDES of the Loew Theatre, Wilmington, flew to New Haven for a brief visit with his former associates in the Loew-Poli circuit.

•

EDNA JONES of the Paramount Theatre staff, New Haven, is recuperating at St. Raphael's Hospital after an appendicitis operation.

R. R. (DICK) BIECHELE, Kansas City, Kan., exhibitor, was in New York yesterday en route to the Variety Club convention.

•

LOUIS HYMAN, general manager for SOL LESSER, left here yesterday for Hollywood.

•

CHARLES E. MCCARTHY, 20th Century-Fox advertising director, and WILLIAM C. GEHRING, division manager, are due tomorrow from the Coast.

•

ELDEN D. POLLOCK, owner of the Lincoln Theatre, Mt. Vernon, Wash., is visiting here.

•

WALTER FUTTER is in Washington today.

W. B. Circuit Zone Meeting in Albany

ALBANY, May 14.—Warner Theatre managers met here at the zone office at the call of M. A. Silver, zone manager, and Charles A. Smakwitz, district head, to discuss Spring and Summer policy and exploitation.

Present were: Andy Roy, Stanley; Jack Breslin, Utica, and Arnold Stoltz, Avon, from Utica; Sid Sommer, Lincoln, Jack Swartout, American and Leo Rosen, Troy, from Troy; Jules Curley, Strand, Al LaFlamme, Madison, Eddie Selette, Albany, and Mel Conheim, Ritz, from Albany.

Bernhard Attends Meeting in Newark

Joseph Bernhard, general manager of Warner Theatres, attended a meeting of managers of the New Jersey zone in Newark this week, to discuss Summer sales policies. Harry Goldberg, advertising manager of Warner Theatres, also addressed the managers.

British Reservation Plea Weighed Again

LONDON, May 14.—The Ministry of Labor's committee considering the film industry's plea for the exemption of technical employes from military service met today. New members of the group are Fred Watts of Pathe, representing newsreels, and Bruce Woolfe of Gaumont British, representing short subject producers.

The committee heard statistics supplied by 58 British producing companies, and was told of the needs and plans for British film exports. It was decided to hold further consultations with the Ministry of Information and the Board of Trade. The committee will meet again on May 21.

Hold Davenport Rites

PHILADELPHIA, May 14.—Funeral services were held today for Dr. Williams Davenport, pioneer film actor, who died Sunday at Philadelphia General Hospital at the age of 74. He was associated with the Edison, Lubin and Biograph companies years ago. His wife, a son and a daughter survive.

20th-Fox Extends Pacts

HOLLYWOOD, May 14.—Twentieth Century-Fox has extended the contracts of Don Ameche, John Loder, George Reeves and Janis Carter.

Stagehands Reelect Anstett as President

Robert Anstett has been reelected president of Stagehands Union, Local 1, and George Fitzgerald has been named vice-president. John C. McDowell was unopposed for reelection as executive secretary as was John J. Garvey for the treasurer's post. Edward J. Mortimer was reelected sergeant-at-arms. Vincent Jacobi and Sol Pernick won in a three-cornered race for business agent. Trustees elected were James J. Brennan, chairman, John F. Casey and Bernard Quadrochi. Thomas Maxwell and William Edwards were named as the relief committee.

Elect 12 20th-Fox Directors Today

Stockholders of 20th Century-Fox are scheduled to elect 12 directors at their adjourned annual meeting to be held at the home office today.

Directors scheduled for reelection are: H. Donald Campbell, John R. Dillon, Sidney R. Kent, W. J. Eadie, Daniel O. Hastings, Felix A. Jenkins, W. C. Michel, William P. Philips, Hermann G. Place, Seton Porter and Sydney Towell. E. P. Kilroe, who was elected to the board recently, is also scheduled for reelection.

Leo Brady's Mother Is Dead in Chicago

CHICAGO, May 14.—Mrs. Nellie A. Brady, mother of Leo Brady of Quigley Publications, died at her home here last night following a lengthy illness. Funeral services will be held on Friday. Surviving are four sons and two daughters.

3 Companies Formed

ALBANY, May 14.—Three new companies incorporated here are: Mechanical Industries, Inc., by Rocco Camera, Anthony Strollo and William Smith, New York; Festival Films, Inc., by Irwin J. Sikwat, Louis Solomon and Jacob P. Poses, New York, and M. & M. Productions, Inc., by Saul P. Pryor, I. H. Block and Jean Muir.

Houghton Service Held

HOLLYWOOD, May 14.—Funeral services were held here today for William Oscar Houghton, character actor known as Ted Bennett.

Meeting to Discuss Earlier Previews

Hollywood, May 14.—The Hollywood correspondents' committee headed by Douglas Churchill today announced that Y. Frank Freeman, president of the Producers' Association, and the studio publicity directors' committee have accepted a proposal to meet with them May 2[illegible] to discusses changes in the preview system. The correspondents meanwhile will discontinue covering "sneak" previews, pending outcome of the meeting, at which they hope to get an assurance on earlier press previews.

All ITOA Officers Are Renominated

Present officers of the ITOA here were nominated for reelection at a meeting of the organization at the Hotel Astor yesterday. The election will be held May 28.

Nominations, which are equivalent to election, are as follows: Harry Brandt, president; David Weinstock, first vice-president; Stanley Lawton, second vice-president; Leon Rosenblatt, treasurer; Francis Bregman, secretary; Jack Heyman, sergeant-at-arms.

Nominated to the board of directors were: Julius Joelson, Grant Anson, S. Gottlieb, Hyman Rachmil, Abraham Shenk, Herman Eisenstadt, J. J. Goldberg, Gilbert Josephson, Abraham Leff, Bernard Brooks, Julius Charnow, W. French Githens, Samuel Strausberg, Jack Hattem, Rudolph Sanders, Emanuel Hertzig, Samuel Freedman, Leo Brecher, Samuel Seelen, Ray Rhonheimer.

Bercovici Case Is Moved to U. S. Court

Transfer to the U. S. District Court of the suit of Konrad Bercovici against United Artists and Charles Chaplin was effected yesterday. The suit, which seeks $5,000,000 damages, was originally filed in N. Y. Supreme Court and charged the defendants with using Bercovici's idea for "The Great Dictator." Bercovici also sought damages for services which he claimed he rendered to Chaplin on story plots for other pictures.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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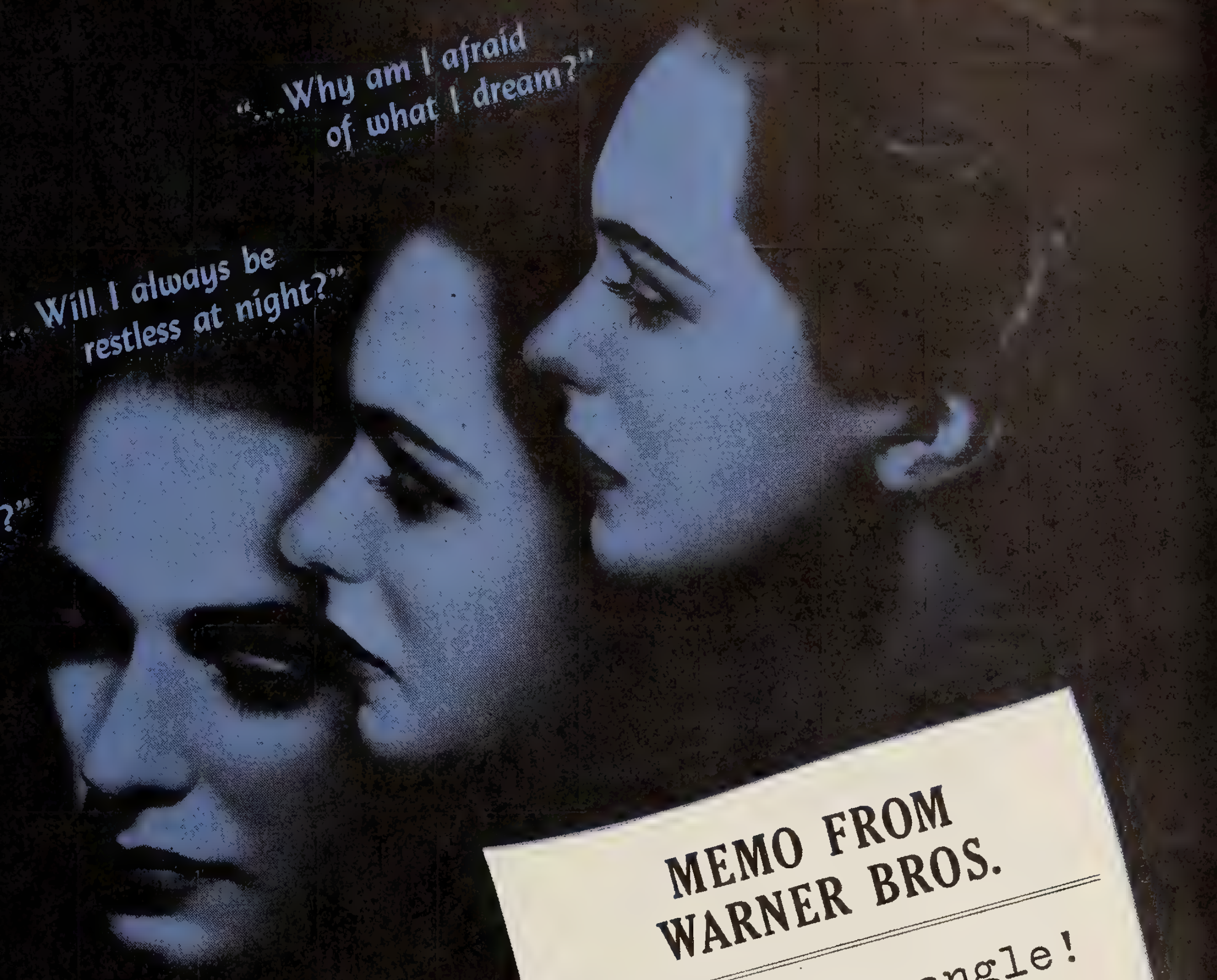
ALL THE PSYCHIATRIST TOLD HER WAS: "GET MARRIED!"


"...Why am I afraid of what I dream?"
"...Will I always be restless at night?"
"...Should I really feel ashamed?"

MEMO FROM WARNER BROS.

This is the angle! A "can't-miss" ticket-seller! Pressbooks, ads, posters all tie in! A cinch for the woman trade--and the men!

"shining victory"

with

JAMES STEPHENSON · GERALDINE FITZGERALD

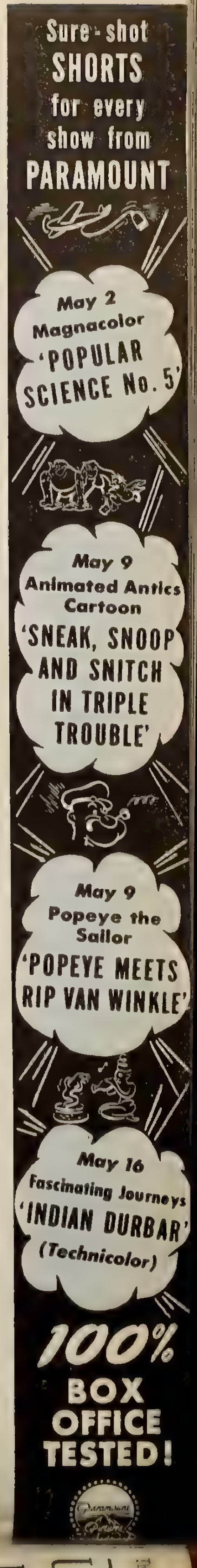
DONALD CRISP · BARBARA O'NEIL · From a Play by A. J. CRONIN Author of "The Citadel"

Directed by IRVING RAPPER · Screen Play by Howard Koch and Anne Froelick · Music by Max [illegible]

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
Apr. 18	Under Age (D) 2036 *Nan Grey* *Alan Baxter*	Washington Melodrama (D) 131 *Frank Morgan*	Border Vigilantes (O) 4053 *Boyd-Hayden*	Rookies On Parade (C) 013 *Bob Crosby* *Ruth Terry*	Robbers of the Range (O) 184 *Tim Holt* *Virginia Vale*	Ride On Vaquero (O) *Cesar Romero* *Mary B. Hughes*	That Hamilton Woman! (D) *Vivien Leigh* *L. Olivier*	Model Wife (D) 5014 Mutiny in the Arctic (D) 5054	Strange Alibi (D) 567 *Art. Kennedy* *Joan Perry*	Billy the Kid's Fighting Pals *Bob Steele* 161 (PRC)
Apr. 25	Penny Serenade (C) 2002 *Cary Grant* *Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr* *Turner-Garland*	Power Dive (D) 4026 *Richard Arlen* *Jean Parker*	Lady From Louisiana (D) 014 *Wayne-Munson*	They Met in Argentina (M) 128 *Maureen O'Hara*	Mail Train (D) 139 *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon* *Melvyn Douglas*	Flame of New Orleans (D) 5011 *Marlene Dietrich*	The Wagons Roll at Night (D) 560 *Bogart-Sidney*	South of Panama *Roger Pryor* 110 (PRC)
May 2	The Big Boss (D) 2037 They Dare Not Love (D) 2011	People vs. Dr. Kildare (D) 133 *Ayres-Day*	Reaching for the Sun (D) 4027 *Joel McCrea* *Ellen Drew*	The Singing Hill (O) 046 *Gene Autry* *Smiley Burnette*				Black Cat (D) 5028 *Basil Rathbone* *Hugh Herbert*	Thieves Fall Out (C) 516 *Eddie Albert* *Joan Leslie*	Roar of the Press *Jean Parker* (Mono.)
May 9	Her First Beau (C) 2013 *Jane Withers* *Jackie Cooper*	A Woman's Face (D) 136 *Joan Crawford* *Melvyn Douglas*		Country Fair (C) 015 Sheriff of Tombstone (O) 056		Great American Broadcast (M) 140 *Alice Faye* *Oakie-Payne*			Affectionately Yours (C) *Merle Oberon* *Dennis Morgan*	The Pioneers House of Mystery (Mono.)
May 16	She Knew All the Answers (C) 2008 *Joan Bennett*	I'll Wait for You (D) 135 *Marsha Hunt* *Robt. Sterling*	There's Magic in Music (M) 4021 *Allan Jones* *Susan Foster*	The Gay Vagabond (C) 022 *Roscoe Karns*		Cowboy and the Blonde (O) 141 *Mary B. Hughes* *G. Montgomery*	Adventures of Tom Sawyer (D) Prisoner of Zenda (D) (Re-issues)		Singapore Woman (D) 563 *Brenda Marshall* *David Bruce*	King of the Zombies (Mono.) Lone Rider in Ghost Town 165 (PRC)
May 23	Naval Academy (D) 2020 *F. Bartholomew*	Love Crazy (C) 134 *Myrna Loy* *Wm. Powell*	Pirates on Horseback (O) 4054 *Boyd-Hayden*	Desert Bandit (O) 077 *Don Berry* *Lynn Merrick*	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) 142 *John Beal*		Too Many Blondes (M) *Rudy Vallee* *Helen Parrish*	The Nurse's Secret (D) 523 *Lee Patrick* *Regis Toomey*	The Redhead (Mono.) Emergency Landing 109 (PRC)
May 30	Adventure in Washington (D) *Herbert Marshall* *Virginia Bruce*	Billy the Kid (O) *Robert Taylor* *Mary Howard*	I Wanted Wings (D) 4028 *Ray Milland* *Holden-Morris*	Saddlemates (O) *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* The Saint's Vacation (D)	Blood and Sand (D) 143 *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane* *Jeffrey Lynn*	Silver Stallion (Mono.) Paper Bullets 125 (PRC)
June 6		The Get-Away (D) *Robt. Sterling* *C. Winniger*		Angels With Broken Wings (D) *Binnie Barnes*	The Reluctant Dragon (Disney) Cyclone on Horseback (O)	For Beauty's Sake (C) *Ned Sparks* *Marjorie Weaver*		Men of the Timberlands (D) 5055 *Arlen-Devine*	Devil Dogs of the Air (D) (Re-issue) Shining Victory (D)	Wranglers' Roost (Mono.) Texas Marshal 156 (PRC)
June 13	Time Out for Rhythm (M) *Rudy Vallee* *Glen Gray*	Bargain Basement (C) *Marx Bros.*	One Night in Lisbon (D) *F. MacMurray* *M. Carroll*		Bring 'Em Back Alive 131 *Frank Buck*	Bride Wore Crutches (C) 112 *Lynne Roberts*		Tight Shoes (D) *Binnie Barnes* *Brod. Crawford*	The Gentle People (D) *John Garfield* *Ida Lupino*	The Gang's All Here (Mono.) Criminals Within 111 (PRC)
June 20	Hands Across the Rockies (O) Richest Man in Town (C)		West Point Widow (D) *Anne Shirley* *Richard Carlson*	Nevada City (O) *Roy Rogers* *Gabby Hayes*	They Meet Again (D) 134 *Jean Hersholt* *Dorothy Lovett*	Man Hunt (D) *Walter Pidgeon* *Joan Bennett*		Law of the Range (O) San Antonio Rose (O)	Passage from Hong Kong (D) *Keith Douglas*	Black Beauty (Mono.)
June 27	Sweetheart of the Campus (M) Medico of Painted Springs (O)	Blossoms in the Dust (D) *Greer Garson* *Walter Pidgeon*	Parson of Panamint (D) *Charles Ruggles* *Ellen Drew*			A Very Young Lady (D) 145 *Jane Withers* *Nancy Kelly*		Hit the Road (D) *Dead End Kids* *Tough Guys*	Underground (D) *Jeffrey Lynn* *Mona Maris*	Bowery Blitzkrieg Wanderer of the West (Mono.)
July 4	I Was a Prisoner on Devil's Island (D)		Caught in the Draft (C) *Bob Hope* *Dorothy Lamour*			Moon Over Miami (M) 147 *Don Ameche* *Betty Grable*		Sandy Steps Out (C) *Baby Sandy* *E. E. Horton*		Gambling Daughters (PRC)

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses]



Sure-shot SHORTS for every show from PARAMOUNT

May 2 Magnacolor 'POPULAR SCIENCE No. 5'

May 9 Animated Antics Cartoon 'SNEAK, SNOOP AND SNITCH IN TRIPLE TROUBLE'

May 9 Popeye the Sailor 'POPEYE MEETS RIP VAN WINKLE'

May 16 Fascinating Journeys 'INDIAN DURBAR' (Technicolor)

100% BOX OFFICE TESTED!

U. A. English First Quarter Gross Up 25%

(Continued from page 1)

ing schedule now in effect, he pointed out that night business will improve, since the black-outs and night air raids will not occur until 10:30 to 11:00 P.M., London time, instead of the usual 8:30 to 9:00 P.M.

Archibald is here from London for a month's combined business and vacation visit.

Archibald said that United Artists' business during the first quarter of the year was materially aided by a number of releases which proved particularly strong in England during the period, especially "The Great Dictator" and "The Long Voyage Home." The Charles Chaplin picture was simultaneously released to all British theatres, with the result that it played every theatre in some cities at the same time.

Rentals in Blitzed Areas Cut

While film rentals have been reduced for theatres in bombed areas, from which an appreciable number of former patrons have been evacuated, they remain at normal in all other sections of Britain, Archibald reported. He said there has been no marked change in the film preferences of the British; that they still will favor serious drama if it is well done, more than they will light comedy or musicals of mediocre quality. The test, as always, he said, is not the type of picture so much as it is the quality.

He reported that British film production is about 50 per cent less today than it was prior to the war, and that this is reflected in the business being done there by American companies and their pictures, which now receive proportionately more playing time. The labor shortage, in all branches of the industry, is rapidly approaching the crucial stage, Archibald said, since even women and girls are being accepted more and more for military or semi-official assignments. He paid tribute to American company representatives in Great Britain, "who are remaining at their posts there although they are not obliged to and despite the fact that it is not always pleasant."

Owners Reimbursed

Archibald said that the British Government is paying the owners of bombed theatres two and one-half per cent interest on the assessed amount of damage to their properties and that they will be reimbursed the full amount after the war. He said there has been no material change in the estimated number of theatres destroyed or closed in Britain during recent months, that the total is still estimated at 450 to 500 out of commission. There are approximately 5,000 theatres in Britain.

He foresees no change in quota regulations "unless the 'blitz' becomes much worse than it now is."

Cut Reading House Tax

Reading, Pa., May 14.—A reduction in tax assessment from $300,000 to $200,000 was allowed by the city authorities for the former Moose Temple, which includes the Park Theatre. The cut in taxes is retroactive.

Hollywood Review

"Love Crazy"

(M-G-M)

Hollywood, May 14

MYRNA LOY and William Powell, whose cinematic marital adventures for M-G-M have made them one of the top box-office teams, get into the groove again with a new offering, "Love Crazy, which depends more upon slapstick than their former films for laughs but which is just as effective in provoking them·

It is a hilariously funny offering and so loud and long were the laughs at its Hollywood preview that much of the dialogue was lost.

Supporting the stars are Gail Patrick, Jack Carson, Florence Bates, Sidney Blackmer, Sig Rumann, Vladimir Sokoloff, Donald MacBride, Sara Haden, Kathleen Lockhart, Fern Emmett, Joseph Crehan, George Meeker, Clarence Muse and Elisha Cook, Jr.

Powell and Miss Loy, about to celebrate their fourth wedding anniversary, are interrupted by the mother of the woman. Powell, on an errand, becomes involved with an old sweetheart and after a quarrel, Miss Loy files for divorce. Powell, to delay the proceedings, pretends he is insane, and his wife has him committed to an asylum. He escapes to try to win her back and an elaborate chase sequence, part of which has Powell dressed as his elderly sister, follows through to the climax. Some of the dialogue and situations make the film adult entertainment.

Jack Conway directed this Pandro S. Berman production with a light hand, milking every situation dry of comedy.

Running time, 100 minutes. "A."*

VANCE KING

"A" denotes adult classification.

'Hey Rube!' Variety Clubs Meet in A. C.

(Continued from page 1)

for the current year. National officers for the next year will be elected on Friday. A Night of Nights will be held in the evening, featuring a buffet supper and entertainment.

Saturday, the closing day of the convention, will be the highlight of the conclave, opening with the golf tournament. A monster boardwalk parade is scheduled for noon on Saturday, followed by a circus in the Auditorium Building. A United Artists cocktail party will follow, with the final banquet closing the convention Saturday evening. The annual humanitarian award will be made at the banquet.

Among the Hollywood players expected are Dorothy Lamour, Laraine Day, Frank Morgan, Fay Wray, Eddie Norris,, Wayne Morris, Walter Pidgeon, Robert Young, Gail Patrick and Carol Landis.

Mayor Tobin of Boston will arrive tomorrow, following part of the Boston delegation, which arrived this evening. One hundred and fifty policemen from Philadelphia will assist the local police in handling traffic arrangements.

Wilkinson Toastmaster

New Haven, May 14.—Herman M. Levy, chairman of the seventh anniversary testimonial dinner in honor of Harry M. Shaw, Loew-Poli division manager, to be held Monday at Ceriani's, reports that George T. Wilkinson, Jr., will act as toastmaster for the event.

Continues Vaudeville

Philadelphia, May 14.—Frank O. Ackley, manager of the Carman, has announced that the vaudeville policy will be continued through the Summer, because of the expected demand for entertainment by defense workers.

What Clubs Plan For Opening Day

Atlantic City, May 14.—Opening day's program of the Variety Club Convention here tomorrow:

9 A.M.-12 M.—Registration, 11th Floor, Hotel Traymore.

10 A.M.—Meeting of Officers and Committees (Rose Room).

12 M.—Boat Rides and Fishing Parties.

1 P.M.—Luncheon for Officers (Mandarin Room).

2 P.M.-5 P.M. — Producer-Exhibitor Forum.

5 P.M.-8 P.M.—Sightseeing, Private Dinner Parties, etc.

6 P.M.—Special Variety Club Dinner (European Room).

8 P.M.—Boxing Show at the Auditorium.

Theatre Wins 'Some Run' from 20th-Fox

(Continued from page 1)

quently was eliminated after reportedly reaching an agreement with the exhibitor.

The decision is the first to be given here.

Second Complaint Filed in Charlotte

Charlotte, May 14.—The second arbitration complaint of record here was filed today by Ellis Blumenthal, operator of the Lafayette Theatre, Winston-Salem. It asks "some run" of Warners, Paramount and RKO.

Cincinnati Hearing Delayed to May 28

Cincinnati, May 14.—The first arbitration hearings at the local board, involving both run and clearance complaints by Willis H. Vance against Loew's, Paramount, 20th Century-Fox and Warners, which was scheduled for today, was postponed to May 28 by Judge Stanley Matthews, arbitrator.

Fitzgibbons Is Named Head of F. P. Canadian

(Continued from page 1)

tario, was named general manager of theatre operations under Fitzgibbons.

Directors elected today were: N. S. Robertson of McMaster, Montgomery, Fleury & Co., Toronto; Wendell Farris of Vancouver; Angus MacCunn, Lawrence G. Gerring, Bolstad and Barrow, all executives of FPC here. Also elected to the board were Barney Balaban, Paramount president; Stanton Griffis and Austin C. Keough of Paramount, and Fitzgibbons.

Additional directors chosen from representative Canadian business men will be added to the board at a later meeting, it was said.

Included in Nathanson's new circuit is Twentieth Century Theatres, an expanding organization now numbering about 25 theatres in Ontario, of which N. A. Taylor, former independent exhibitor leader, is the managing head.

Fitzgibbons has been associated with FPC for the past 11 years as managing director or vice-president in charge of theatre operations. Nathanson, whose contract as FPC head had about six weeks to run, had been associated with the company for more than 20 years. During his negotiations with Paramount for continuing in the post he offered, at one time, to sell his FPC interest to Paramount and turn over his outside theatre interests to FPC, as well, but later withdrew the offer on the ground that Paul Nathanson, his son, who is head of the outside theatre operations, would not agree to the deal.

Balaban, Griffis and Keough, who attended the meeting here, remained over for management conferences with Fitzgibbons.

Col. Meet to Follow Executives' Session

(Continued from page 1)

will make arrangements for the meeting to be held for the entire sales force.

Abe Montague, Columbia general sales manager, said that plans would be made in Chicago for the further extension of the company's decentralized sales policy, under which the sales force is given considerable leeway. Montague reminded that Columbia, which is not a party to the Federal consent decree, will follow the same distribution method next season that it always has.

Plea Is Withdrawn On Cranston House

Cranston, R. I., May 14.—Faced with opposition from adjoining property owners and representatives of nearby churches, at a hearing before the Zoning Board of Review, Albert H. Cipriano of Providence withdrew his application for a permit to build a film house here. He planned a neighborhood house seating 500 to 600.

'Serenade' Is Boston's Lead With $33,200

BOSTON, May 14.—"The Penny Serenade" and "Trial of Mary Dugan" at Loew's Orpheum and Loew's State drew $18,800 and $14,400, respectively, for a total of $33,200.

Estimated receipts for the week ending May 7-9:

"Roar of the Press" (Mono.)
"The Invisible Ghost" (Mono.)
KEITH BOSTON — (3,200) (28c-33c-44c-55c-65c) 7 days. Vaudeville including Low Walters Gay Nineties Revue, Hal Le Roy, Moore and Revel, Sarah Ann McCabe and Harry Spear. Gross: $9,500. (Average, $8,000)
"The Devil and Miss Jones" (RKO)
"They Met in Argentina" (RKO)
KEITH MEMORIAL — (2,907) (28c-33c-44c-55c) 7 days. Gross: $13,700. (Average, $16,000)
"Pot O' Gold" (U. A.)
"The Penalty" (M-G-M)
METROPOLITAN — (4,367) (28c-39c-44c-55c) 7 days. Gross: $13,900. (Average, $15,500)
"The Wagons Roll at Night" (W. B.)
"Las Vegas Nights" (Para.)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $8,000. (Average, $7,500)
"The Wagons Roll at Night" (W. B.)
"Las Vegas Nights" (Para.)
FENWAY — (1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $4,600. (Average, $4,500)
"That Night in Rio" (20th-Fox)
"Shadows on the Stairs" (W. B.)
SCOLLAY — (2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $4,300. (Average, $4,000)
"Penny Serenade" (Colo.)
"Trial of Mary Dugan" (M-G-M)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days. Gross: $14,400. (Average, $12,000)
"Penny Serenade" (Colo.)
"Trial of Mary Dugan" (M-G-M)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days. Gross: $18,800. (Average, $17,500)

'One,' Tucker Band $7,200, Kansas City

KANSAS CITY, May 14.—"You're the One," plus Orrin Tucker and his band and Bonnie Baker on the stage of the Tower, drew $7,200. "The Great Lie" also took $7,200 at the Newman in a week of generally slow business.

Estimated receipts for the week ending May 6-11:

"Man Made Monster" (Univ.)
"Horror Island" (Univ.)
ESQUIRE—(800) (28c-44c) 5 days. Gross: $1,400. (Average, 5 days, $1,600)
"That Hamilton Woman" (U. A.)
"The Trial of Mary Dugan" (M-G-M)
MIDLAND—(3,600) (28c-44c) 7 days. Gross: $7,000. (Average, $9,500)
"The Great Lie" (W. B.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $7,200. (Average, $7,000)
"Adam Had Four Sons" (Col.)
"They Met in Argentina" (RKO)
ORPHEUM—(1,500) (28c-44c) 7 days. Gross: $3,000. (Average, $5,000)
"You're the One" (Para.)
TOWER—(2,200) (30c) 7 days. Stage show: Orrin Tucker and band; Bonnie Baker. Gross: $7,200. (Average, $6.000)
"Man Made Monster" (Univ.)
"Horror Island" (Univ.)
UPTOWN—(2,000) (28c-44c) 5 days. Gross: $1,800. (Average, 5 days, $2,000)

Hamilton Bans Carnival

HAMILTON, O., May 14. — The Sheesley Carnival, booked to play the Fair Grounds here this week, arrived Monday, but was refused a license by County Auditor R. H. Smith, whose action was based on complaints of local merchants that their business in the past has been seriously affected by amusements of this nature.

Feature Reviews

"The Great Swindle"

(Columbia)

WORDS are substituted for action for the most part in this film, whose sole concern is an arson investigation. It follows two insurance adjusters, Jack Holt and Don Douglas, in their relentless and at times, tedious effort to prove that the warehouse fire in question was the work of arsonists and ultimately to expose the perpetrators. The melodrama is dry with comedy and romance virtually non-existent.

Jonathan Hale, Henry Kolker, Douglas Fowley, Sidney Blackmer, Tom Kennedy and Marjorie Reynolds have supporting parts and serve their purpose adequately in spite of dialogue which is not always smooth.

In the story, Holt and Douglas finally discover that Kolker, head of a trust company, instigated the fire so that he might take over the insurance company which covered the warehouse, and which is pressed for funds.

Larry Darmour produced and Lewis D. Collins directed.

Running time, 52 minutes. "G."*

"Redhead"

(Monogram)

Hollywood, May 14

MONOGRAM'S "Redhead" was intended to be a light farce, yet with all the elements necessary for that type of picture embodied in it, it turns out to be a rather heavy-footed comedy never developed to its fullest extent. Starring June Lang and Johnny Downs, both of whom labor with their material, the film contains much trite dialogue.

The plot has a girl, just acquitted of murder (whom and why she killed are not disclosed), and a young wastrel marry in an effort to extort $20,000 from the boy's wealthy father. The father refuses to pay off to break the marriage and the girl makes a side deal to reform the youth. They continue their marriage and really fall in love, the youth reforming.

Eric Blore supplies the comedy relief, with support including Weldon Heyburn, Anna Chandler, Frank Jaquet, Zarova, Baron Emerson, Harry Burns and Donald Thompson.

I. E. Chadwick produced the film with Herman Wohl as his associate. It was directed by Edward Cahn.

Running time, 64 minutes. "G."* VANCE KING

"G" denotes general classification.

Canada Film Board Abolition Expected

TORONTO, May 14.—The first step toward the abolition of the National Film Board created two years ago by act of Parliament is seen in the move for the appointment of Leonard W. Brockington of Winnipeg as deputy minister in the External Affairs Department, in a reorganization of the film and publicity branches of the Dominion Government and the Bureau of Public Information.

The board was created under strong protest as an unnecessary luxury in view of the then existing Government Motion Picture Bureau. Brockington is now assistant to Premier MacKenzie King. The official announcement regarding the shakeup and the appointment of Brockington will be made in a few days.

The recent trip to Hollywood of John Grierson of London, who has been filling the post of Film Commissioner, is regarded as an indication of important changes in which Grierson is involved.

New Conn. Company

HARTFORD, May 14.—The Lampert Theatre of Windsor, Inc., operator of the Windsor Theatre, has been formed here with Louis M. Gordon of Boston, president, Arthur H. Lockwood of Boston, treasurer, and Diane Goldman of New Haven, secretary.

Receiver Is Named On Cincinnati Strand

CINCINNATI, May 14.—Common Pleas Judge Alfred Mack has appointed Harry Abrams as receiver for Strand Enterprises, Inc., operating the Strand office building and Strand Theatre, in the downtown business sector, upon application of the Delta Realty Co., in a suit in which judgment for $2,856 also is asked.

The petition points out that the defendant company negotiated a 10-year lease for the property March 1, 1938, at total rental of $260,000, payable in weekly installments of $500 each, but is in arrears for $2,690 as rent to April 30. It further sets forth that since the death in March of William H. Vollman, president of defendant company, "the business has been greatly interrupted and it has been impossible to maintain operation thereof in a profitable manner."

Keith Drops Company

ALBANY, May 14.—B. F. Keith Corp. has filed papers here indicating a merger with Haton Theatre Corp.

At the RKO home office it was explained that this merely disposes of the corporate existence of the Haton company, which nominally operated the RKO Hamilton Theatre in Manhattan.

U.S. Decision Soon On Schine Priority

BUFFALO, May 14.—A definite decision will be made by the Government within the next few days as to whether or not it will elect to try the Schine Circuit anti-trust suit first, Assistant U. S. Attorney General Seymour Simon told Federal Judge John Knight today.

Knight said that the present plan of the Department of Justice is to [illegible] the Crescent Amusement Co. an[illegible] trust suit in Nashville Federal court first, but added that the Department still is considering the advisability of making the Schine case the first to be tried.

The Crescent suit is on the Nashville court calendar for July 7 and Judge Knight already has advised Simon that, if the Government elects to try the Schine case first, no date can be obtained here before September. Judge Knight also has stated that he will not require Columbia, United Artists and Universal, which are defendants in both cases, to defend two suits simultaneously.

Ticket Supply Led to Canadian Tax Delay

TORONTO, May 14.—Insistence on the part of the theatre companies to use Federal Amusement Tax tickets under the war budget measure of the Dominion Government was the cause of the postponement of the effective date of the 20 per cent until next Monday. Circuit executives felt that the use of a tax ticket was essential in order to impress upon the general public that the theatres were not boosting the price of admission for their own profit, the coupons being a constant reminder that theatre patrons were helping to finance the war effort by attendance at film entertainment.

When Finance Minister Ilsley formally announced the new tax he omitted to state when it became effective. The move came as a surprise to the theatres and they, too, were unprepared to take immediate steps to collect the new assessment. But the date of May 19 was finally designated, after some negotiations, for the start of the tax, one point being stressed that tax tickets were necessary and that these could not be printed in millions overnight.

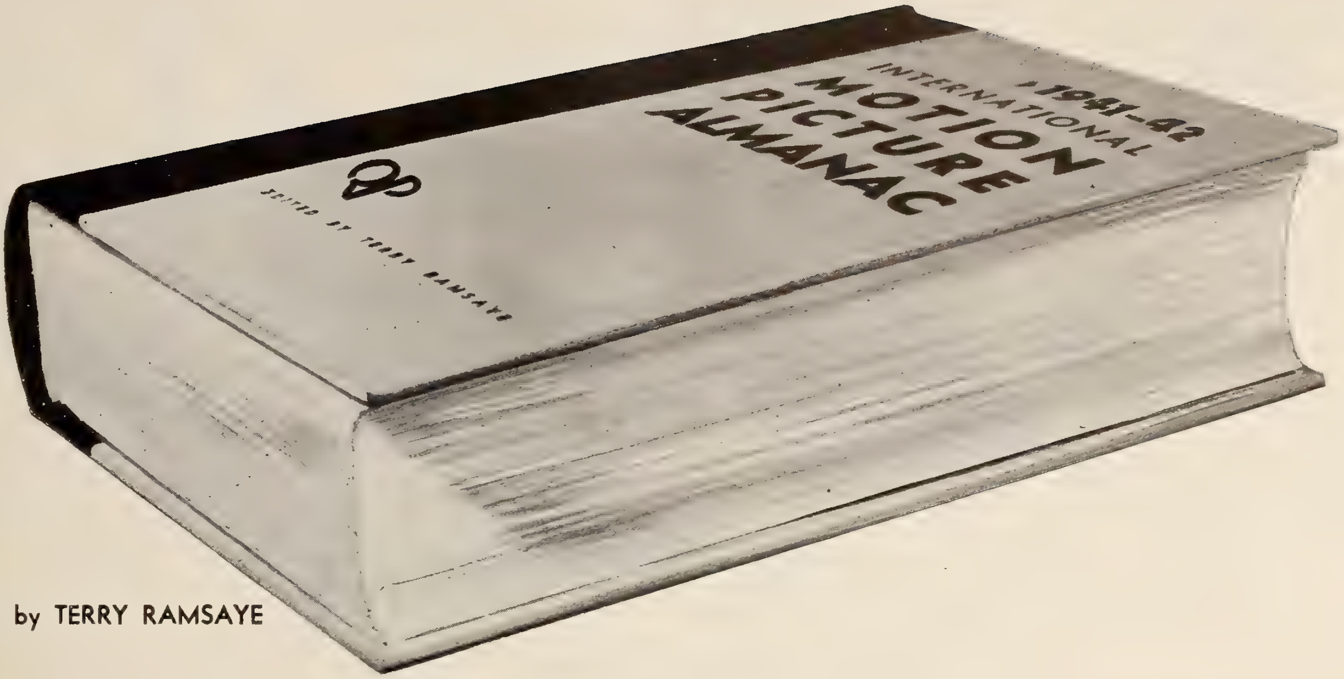
A few exhibitors in small centers took it upon themselves to inaugurate the tax and placed signs in lobbies to announce the new scale of admissions.

'Ziegfeld' $5,900; Cleveland Is Dull

CLEVELAND, May 14. — "Ziegfeld Girl," earning $5,900 in its second week at Loew's Stillman, was the leader here as the slump continued.

Estimated receipts for the week ending May 8-9:

"The Great Lie" (W. B.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 3rd week. Gross: $2,100. (Average, $4,000)
"Penny Serenade" (Col.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $10,000. (Average, $11,000)
"The Wagons Roll at Night" (W. B.)
RKO PALACE — (3,100) (33c-47c-55c) 7 days. Stage: Gypsy Rose Lee. Gross: $13.300. (Average, $13,500)
"That Hamilton Woman" (U. A.)
LOEWS STATE—(3,500) (33c-39c-47c) 7 days. Gross: $10.400. (Average, $11,000)
"Ziegfeld Girl" (M-G-M)
LOEW'S STILLMAN — (1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $5.900. (Average, $4,000)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Fly Gagged By Miller at NAB Meeting

(*Continued from page* 1)

NAB president, suddenly adjourned the meeting.

This action caught the delegates offside and although afterwards Miller extended an invitation to Fly to speak before the convention, the indications were that he would not avail himself of the belated accommodation.

Ethridge is general manager of the *Louisville Courier-Journal* and a former NAB president. He resigned his appointment by President Roosevelt to study the concentration of control in the radio broadcasting industry because of his own disapproval of the FCC's monopoly report. This was reported yesterday by MOTION PICTURE DAILY.

The commission's order, which directs drastic revisions in the broadcasting industry's internal structure, to be made within 90 days, seems to take for granted that the affiliates of the networks "are economic serfs whom it must take into protective custody to protect them from the so-called power of the networks," Ethridge said.

"The fact is," he continued, "that every licensee who holds an affiliation contract with one of the networks has entered into it voluntarily, and prizes it as a valuable franchise, eagerly sought after.

"I believe, moreover, that they may have the effect of gutting small stations. It is perfectly true that the Commission has undertaken to provide against that, but the provision is in the form of a threat.

"Regulation, to be successful, should be intelligent and deliberate. The new order, both from its text and from the tone of the utterances of its authors in public and in private is founded on a basis of bad temper, impatience and vindictiveness. It is intended to be punitive, not constructive. It will impair the very service which it is charged with protecting.

"To my mind the Commission has embarked upon a continuing process of adjustment that will lead us sooner or later to the easy solution of having the whole thing taken over. The chairman of the Commission has denied that is his intention and, of course, he speaks in all good faith, but people who set houses on fire frequently do not intend to do it, too."

"In fairness I must point out to you the chairman's statement of yesterday that he is willing to sit down with responsible representatives of the industry to discuss the implementation, the timing and the procedure in connection with the rules and regulations. I venture the personal comment that the offer is equivalent to asking you whether you want six or eight pallbearers and whether you want to be cremated or put underground."

Ethridge urged that "all groups, individuals and interests concerned with radio and its development recommend the passage of the White resolution and thereafter participate in hearings."

Off the Antenna

A NEW program will bow from Hollywood Saturday, May 31, over 45 CBS stations. Called "Stars Over Hollywood," the program will be heard 12:30-1 P.M. and will feature film talent in original radio plays. Among those signed for the series are Mary Astor, John Howard, Gail Patrick, Chester Morris and Margaret Lindsay. Bowey's, Inc., makers of Daririch products, will sponsor the series, discontinuing "News and Rhythm" which has been on the network for two years.

• • •

Purely Personal: *Kent Cooper, general manager of the Associated Press, has composed a song, "Dixie Girl," which will have its premiere on "Cities Service Concerts" Friday on NBC-Red. . . . John Hurley has joined CBS publicity. . . . George Maynard, assistant to Wilfred Roberts, NBC eastern production head, has returned from a Florida vacation with his bride, the former Lois Jordan, who was assistant executive at WIOD, Miami. . . . H. Arthur Gilbert, WHN sound effects man, and Marla Besbeck have become engaged. . . . Gabriel Heatter, master of ceremonies on "We, the People" for the last four years, will take his first vacation from that program June 3. . . . Richard Norman, formerly with WOV, has joined the announcing staff of W71NY.*

• • •

Three sports events are on NBC's television schedule for next week: Amateur boxing on Monday night; horse racing from Belmont Park Wednesday afternoon, and big league baseball from Ebbets Field Saturday afternoon.

• • •

Program News: *Sylvia Press will start a new program over WINS tonight at 8 called, "Press Clippings." It will feature human interest stories behind the news as it is published. . . . Knox Gelatine Co. has renewed Bob Garred for 13 weeks over the CBS California hookup. . . . The Walter Reade theatre circuit here has signed a contract with WHN for station break announcements.*

Ample Theatre Television Program Material Is Seen

(*Continued from page* 1)

Long Island University, Broadway Arena and Ridgewood Grove.

Others include Aqueduct Race Track, West Side Tennis Club, Jamaica Arena, Belmont Rack Track, Jamaica Race Track, Bostwick Field, Roosevelt Raceway, Jones Beach, Woodbridge Auto Racing, Ruppert Stadium, Roosevelt Stadium, Nutley Velodrome, Winchcliffe Stadium, Pegasus Club, Goshen Track and Bear Mountain.

Says Exhibitor Fear Is Groundless

Halpin also believes that exhibitor fear of FCC regulation at this time is unfounded. It is his opinion not more than 20 per cent of the programs at most will be interstate in character as far as New York houses are concerned. All others will be intra-state.

"Furthermore," he continued, "it appears obvious according to the recent FCC ruling that as much encouragement as possible in view of the defense situation is being given to television and the FCC appears willing that television shall move forward."

Looking over the metropolitan theatre field, RCA believes there are 44 non-competitive zones for theatre television. There are seven in Manhattan; eight in Brooklyn; three in the Bronx; nine in Queens; two in Staten Island; three on Long Island; three in Westchester, and nine in New Jersey.

From O'Gara & Co., realtors handling the New Yorker Theatre, it was learned yesterday that RCA plans to give up the house on June 15. RCA has had the house under the lease for its large screen experiments and demonstrations. The company, it is understood, takes the position that the equipment is now ready for use and, the industry having had an opportunity to see it, RCA has no further use for the house.

From Local 306 it was learned that about 100 operators completed the RCA course on handling of television equipment and that the union could supply operators if needed.

No Decision on Home Sets

Meanwhile, RCA has made no decision on the manufacture of home television receivers. David Sarnoff, president, has previously stated that the FCC monopoly report and the defense situation would have to be studied before a decision to go ahead could be made. Generally, it is expected that the decision will be made within the next two weeks but there is no hope of a sizeable amount of receivers being on the market before July 1, when commercial television operation is permitted to start.

The FCC this week issued forms for commercial television applications.

Skouras Says Medium Is Box-Office Now

Additional comment on the reaction of exhibitors to theatre television, as demonstrated by RCA at the New Yorker Theatre last Friday night, was received yesterday from George P. Skouras, head of Skouras Theatres. He said:

"My opinion is that television as demonstrated at the New Yorker Theatre has reached the stage of being box-office entertainment. The expense of the equipment is of no importance if the supply of product is available. Possible Government control through the FCC need not be alarming unless theatre television is used for something else other than entertainment."

Trust References Out of BMI Action

N. Y. Supreme Court Justice Dennis Cohalan yesterday ordered all references to anti-trust law violation stricken from the complaint of the 14 song writers who are suing a large number of defendants, including NBC, CBS, BMI, Neville Miller, Niles Trammell and Edward Klauber for $1,217,500 damages. The song writers, all but one of whom are members of Ascap, allege that the defendants conspired to drive Ascap out of business.

Senate Group Seen Backing FCC Probe

WASHINGTON, May 14.—Indications that the Senate Interstate Commerce Committee would give its approval to the resolution introduced yesterday by Senator Wallace H. White of Maine for investigation of the FCC monopoly report were seen today in an admission by Chairman Burton K. Wheeler of Montana that he was concerned over the allegation that 85 per cent of the night broadcasting power was affiliated with the two major networks.

Senator Wheeler, however, would not comment on the Commission's new network regulations. He said he was interested in the preservation of free speech and free and open competition in broadcasting, the prevention of undue control of radio by individual organizations and separation of the operation of networks from the operation of stations.

The Senator also said there should be no artificial barriers raised against the development of new networks.

CBC Is Under Fire In Canadian House

OTTAWA, May 14.—The Canadian Broadcasting Corp., which has been discussed on the floor of the House of Commons several times recently, today was made the subject of a direct inquiry by M. J. Coldwell, acting House leader of the Cooperative Commonwealth Federation. Coldwell in a series of 14 questions asked for details of the operation of CBC as it concerns Gladstone Murray, general manager, and Auguste Frigon, assistant general manager.

Coldwell asked information on the functions, duties, salaries and expense allowances of the two officials, and the reason why the assistant general manager was recently transferred from Montreal to Ottawa. He also asked if any amendments have been made to CBC by-laws and if any are contemplated.

WCAX to 1,000 Watts

WCAX, CBS station in Burlington, Vt., has received FCC permission to boost its power from 250 watts to 1,000, full time. At the same time it was granted permission to change its frequency from 1,230 k.c. to 620 k.c.

Adds Sunday Shows

DEKALB, Ill., May 14.—Five acts of Sunday vaudeville have been added at the Egyptian Theatre here.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 96 NEW YORK, U. S. A., FRIDAY, MAY 16, 1941 TEN CENTS

Loew's Profit For 6 Months Is $5,141,135

Compares with $6,789,828 For Previous Year

Loew's, Inc., yesterday reported net profit of $5,141,135 for the first half of the company's current fiscal year, ended March 13 last. The result compares with net of $6,789,828 reported by the company for the corresponding period a year ago.

The result is after provision for depreciation and taxes and $900,000 reserve for contingencies, and is equal to $37.60 per share on the company's outstanding preferred stock and $2.80 per share on the common. Earnings for the comparable period a year ago were equivalent to $49.66 per share

(*Continued on page* 4)

Fly Attacks NAB; Scouts 'Influence'

By AL WEISMAN

ST. LOUIS, May 15.—Chairman James L. Fly of the FCC struck back at the NAB today in a statement given to reporters in which he said the NAB management reminded him of "a dead mackerel in the moonlight."

He said the NAB was dominated by a "Tinker-to-Evers-to-Chance combination." This was regarded by observers as an obvious reference to David Sarnoff, William Paley and Neville Miller. "Two men run the show," Fly said, "and a couple of others do the chores."

Fly said the convention's adoption of a resolution supporting a Congressional investigation of the FCC's

(*Continued on page* 10)

Schenck Director Of Richfield Oil Co.

WILMINGTON, Del., May 15.—Joseph M. Schenck was elected a director of the Richfield Oil Co., California company, for a three-year term, at the annual stockholders meeting here today.

Schenck has held the post on the board of directors since 1937, when he was appointed to the board by a California court on the occasion of the reorganization of the company.

Cohen Disposes of Interest in Belle

Max A. Cohen has disposed of his interests in Belle Theatres, Inc., comprising seven houses on New York's East Side, in order to devote himself to the general welfare of exhibitors. He will remain the sole head of Cinema Circuit Corp. Cohen is president of Allied Theatre Owners of New York and a member of the MPTOA board.

B'way First Run Grosses Just Fair

Business on Broadway during the the week was fairly strong, despite the continuation of good outdoor weather. The Radio City Music Hall grossed in the neighborhood of $71,000 in the second week of "That Uncertain Feeling" with "Madame Butterfly" on the stage. "The Devil and Miss Jones" opened there yesterday.

"The Great American Broadcast" with a stage show at the Roxy drew an estimated $30,100 in its second week and started a third yesterday. "Blood and Sand" is scheduled to open at the Roxy next Thursday.

"Major Barbara" opened strong

(*Continued on page* 4)

Nathanson to Get Canada War Post As Film Official

TORONTO, May 15.—N. L. Nathanson reportedly has been offered and will accept a war post with the Dominion Government, it was learned today following his resignation as operating head of Famous Players Canadian Corp. on Wednesday, six weeks before his five-year contract was to expire.

Informed circles here believe Nathanson may be associated with Leonard W. Brockington of Winnipeg in a reorganization of the Dominion's Bureau of Public Information, which includes films. Such a reorganization is expected to include abolition of the National Film Board.

On taking leave of FPC today, Nathanson said: "I walk out gladly and happily because I am doing what I

(*Continued on page* 8)

'Nights' Withdrawn By 'U' in Argentina

Universal yesterday announced the withdrawal from Argentina of "Argentine Nights," to which Buenos Aires authorities had objected. A statement by the company said the picture was produced more than a year ago "as a harmless musical come-

(*Continued on page* 4)

Variety Clubs Whoop It Up Big in Atlantic City

Welcome Koerner At Luncheon Today

Charles W. Koerner, newly appointed general manager of RKO Theatres, will be guest of honor at a welcoming luncheon today at the Hotel Warwick. Malcolm Kingsberg, vice-chairman of Keith-Albee-Orpheum, will act as host.

Among those scheduled to be present are: Joseph Becker, James Brennan, David P. Canavan, Alvin W. Dawson, Ned Depinet, H. R. Emde, W. B. England, Max Fellerman, Leon Goldberg, Louis Goldberg, William Howard, Harry Mandel, S. Barret McCormick, Charles B. McDonald, O. R. McMahon, Robert Mochrie, Harry Mosley, Richard C. Patterson, Jr., Matthew Polon, Peter Rathvon, A. E. Reoch, S. A. Schwartz, A. W. Smith, Jr., Cresson Smith, Monroe Stein, L. E. Thompson, Garrett Van Wagner, and others.

By SAM SHAIN

ATLANTIC CITY, May 15.—Police and fire sirens, an 80-piece band, bathing beauties, "King Neptune" and Mayor Thomas D. Taggert greeted 1,200 delegates and friends from all over the country as they arrived here today for the seventh annual convention of the Variety Clubs of America.

For today's and tomorrow's program of events, see Page 4.

The town was turned virtually into a great sawdust ring with banners flying and everywhere a festive spirit pervading. Leading the colorful array of delegates was the Texas delegation, 60 strong, clad in colorful sombreros and high boots.

Special trains arrived from various parts of the country bringing Hollywood players, exhibitors from all sections and home office executives. All day long the various commit-

(*Continued on page* 4)

Kent Is Voted New Five-Year 20th-Fox Pact

Place Named Executive Committee Chairman

Sidney R. Kent

Sidney R. Kent, 20th Century-Fox president, was voted a new five-year contract at the annual meeting of the company's board of directors yesterday. All other officers of the company were reelected, and Hermann G. Place, a member of the board for several years, was elected chairman of the executive committee. The post of board chairman was not filled.

The board meeting followed the adjourned annual meeting of 20th Cen-

(*Continued on page* 4)

20th-Fox Quarter Profit Is $404,089

Twentieth Century-Fox yesterday reported consolidated net profit after Federal income taxes of $404,089 for the first quarter of the current year, ended March 29, after providing a reserve for foreign assets of $350,000.

The result compares with profit of $353,376 for the first quarter of 1940, after a reserve for foreign assets of $100,000. Profit in the last quarter of 1940 was $558,275, which included a dividend from National Theatres Corp. of $693,000, after providing a reserve for foreign assets of $600,000.

No dividends were received from

(*Continued on page* 4)

In Today's Issue

Review of "The Gay Vagabond" and key city grosses, Page 7. Fifth arbitration complaint filed in Philadelphia, Page 8. NBC puts short wave broadcasting on 24-hour schedule, Page 10.

Governor Gets Fla. Sunday Picture Bill

Tallahassee, Fla., May 15.—A measure which would permit Sunday films throughout Florida was sent to Governor Holland last night, after the House passed it with only four dissenting votes. The Governor is expected to sign the bill.

While Sunday films are permitted in virtually every city in the state, sponsors of the bill said it would relieve theatre owners of any possibility that showings might be halted by court injunction.

'U' Holds Second Operations Meet

CHICAGO, May 15.—The second of Universal's three regional meetings for home office branch operations executives, office managers, bookers and auditors, will start here tomorrow at the Drake Hotel.

The two-day session will be presided over by F. T. Murray, branch operations manager. The following will attend: J. J. Jordan, contract playdate manager; G. C. Craddock, assistant to Western sales manager W. J. Heineman; J. H. Murphy of the branch operations department; Irving Weiner of the newsreel distribution department; H. T. Sniffin, auditor; Charles Hurley, Cincinnati; Orval Petersen, Milwaukee; Leonard H. Andrews, Memphis; George Flynn, Arthur Young, Cleveland; Milton Ettinger, Indianapolis; Edwin Greene, J. E. Mitchell, Dallas; Edward Stevens, St. Louis; Walter Hyland, Louis Berman, Chicago; Lawrence Keith, John Kane, Kansas City; Jerry Slutzky, Des Moines; Eugene Alexander, Detroit; Sol Yeager, Minneapolis; Mark Holstein, Oklahoma City; William Barker, Omaha.

MacPherson Given Metro British Post

LONDON, May 15.—Mervyn MacPherson, formerly press representative for M-G-M theatres here, has been promoted to take charge of all M-G-M publicity in England, succeeding Selby Howe.

MacPherson, for years a free lance publicist, has had as one of his major accounts the Empire and the Ritz theatres, M-G-M houses, and has handled special campaigns for the company here.

M. P. Bookers to Dance

Second annual dinner and dance of the Motion Picture Bookers Club takes place Sunday night at the Hotel Astor Roof with music by the McFarland Twins' orchestra. Dan Ponticelle of Warners is in charge of arrangements.

12TH WEEK ON B'WAY
JEAN GABIN in
original unexpurgated
PEPE LE MOKO
★★★★ LIB. MAG.
Dist. by MAYER-BURSTYN

Personal Mention

CHARLES EINFELD, Warners' director of advertising and publicity, plans to leave for the Coast on Monday.

•

BARNEY BALABAN, AUSTIN KEOUGH and STANTON GRIFFIS returned from Toronto yesterday.

•

WILLIAM KALCHEIM, father of HARRY, of the staff of the New York Paramount, and NAT and JACK, of the William Morris Agency, is ill at Henrotin Hospital, Chicago.

•

HAROLD LANCASTER, assistant at the Strand, Pawtucket, R. I., has returned to his post after a New York honeymoon. MRS. LANCASTER is the former HELEN RICE.

ALEXANDER KORDA left for the Coast by plane last night following a brief visit here.

•

EDWARD A. GOLDEN is expected from the Coast by plane today.

•

JULES WHITE, Columbia short subject producer-director, arrived from the Coast yesterday for a month's stay.

•

A. A. SCHUBART, head of exchange operations for RKO, is expected back at his office next week after an appendectomy.

•

IRVING TAMLER of the Tamler Circuit, Indianapolis, is back at work after recovering from injuries sustained in an automobile accident.

Harmon to Address Ampa on Defense

Francis Harmon of the MPPDA, coordinator of the Industry National Defense Committee, will be guest of honor at the next Ampa luncheon meeting, May 29, at the Hotel Edison. The meeting will be devoted to a discussion of the industry's part in national defense.

This was announced yesterday at the first meeting under the new administration of Vincent Trotta as president. "Miss America," Frances Maria Burke, and a number of models from various agencies, accompanied by Vyvyan Donner, fashion editor of Movietone News, were on the dais with Victor McLaglen and the Ampa officers. McLaglen spoke briefly.

Leon Bamberger, retiring president, was presented a scroll in recognition of his service. A birthday cake was presented to Trotta and one of the girls was selected to bear the title "Miss Amphe," which, it was explained, has a connection with "oomph."

Pierre Van Paassen Will Address Lodge

Pierre van Paassen, author of "Days of Our Years," will be the principal speaker at the monthly open meeting of the Cinema Lodge of B'nai B'rith at the Hotel Astor on Tuesday evening.

Dr. Samson A. Shain, rabbi of the Sunnyside Jewish Center, will offer the invocation and Hy Haves, regional director of the Youth Movement of B'nai B'rith, will outline the activities of his organization.

Sues 20th-Fox on Title

Allan W. Wells filed suit yesterday in Federal court here against 20th Century-Fox, alleging that the title of his syndicated newspaper column, "Cavalcade of Hollywood," was infringed in the title, "Hollywood Cavalcade."

'Kane' Opening in Capital

WASHINGTON, May 15.—Capital society and the diplomatic corps will be represented at the opening here tomorrow night of "Citizen Kane," Orson Welles-RKO film, at the RKO Keith. The run will be three-a-day.

Stern Testimonial Here Next Friday

Charles Stern, former district manager for United Artists here, recently appointed district manager in Chicago, will be tendered a testimonial luncheon at the Hotel Astor next Friday by the Motion Picture Associates and local exhibitors.

Plans were discussed at a meeting of the Associates at the Hotel Lincoln yesterday.

The following are on the arrangements committee: Joe Lee, Sam Rinzler, Harry Brandt, Clarence Eiseman and Jack Ellis. Lee is president of the Associates.

The Motion Picture Associates club rooms in the Hotel Edison will be ready for occupancy within a week, Lee announced at the meeting yesterday. He also announced that the association's constitution is being revised.

Emanuel and Schad Pool Reading Spots

READING, May 15.—A pooling deal involving Jay Emanuel's Park and Dr. H. J. Schad's Astor here was closed today. Emanuel will supervise both houses.

The Astor will play the top flight product and the Park, which will reduce its admission price from 40 cents to 25 cents, will play the secondary features. The deal goes in effect when the Astor reopens after alterations late this month.

The Astor, together with Schad's Strand, were returned to him May 1 by Warners on the termination of the leases.

Indiana Exhibitors To Meet on June 17

INDIANAPOLIS, May 15.—The annual mid-summer convention of the Associated Theatre Owners of Indiana will be held on June 17, 18 and 19 in Pokagon State Park in the northeastern corner of Indiana. Marc J. Wolf of Indianapolis again is chairman of the convention committee.

Building New Exchange

WASHINGTON, May 15.—Paramount will build a new exchange building here, to cost approximately $100,000. E. J. Fontaine is manager of the exchange.

Newsreel Parade

THE stock files enabled the week-end issues of the newsreels to present an important subject, Rudolf Hess. He is seen with Nazi officials in Germany. General news material includes an army demonstration in Fort Lewis, Wash., and the opening of Belmont Race Track, New York. The reels and their contents:

MOVIETONE NEWS, No. 72—South American admirals at Brooklyn Navy Yard. Red Cross nurses graduate in New York. Rancheros in California active again. Dress parade in Annapolis. Salmon fishing on the Columbia River. Troops in preparedness display at Fort Lewis, Wash. Gardenia festival in Florida. Bombers in formation over the Sierras. Belmont Track opens. Badminton played on ice in New York. Hank Greenberg in the Army.

NEWS OF THE DAY, No. 270—Rudolf Hess. Fire fighting in London. British advance in East Africa. British forces in Singapore. Army display in Fort Lewis. Test new field photo unit in Dayton. Marines in parachute jumps at Lakehurst. Belmont opens. Speed boat regatta at Long Beach.

PARAMOUNT NEWS, No. 75—Rudolf Hess. British prepare in Singapore. Shipping strike in San Francisco. Boston Navy Yard strike settled; new ships launched. Badminton on ice played in New York. Belmont opens.

RKO PATHE NEWS, No. 75—Ambassador Grew in Tokyo urges Japanese friendship. British mobilize Singapore forces. Rudolf Hess. New submarine launched at Portsmouth. Army tries new photo unit in Dayton. Plymouth evacuated. Badminton on ice played in New York. New bicycle record set in California. Foot race in Australia.

UNIVERSAL NEWSREEL, No. 980—Rudolf Hess. Fort Lewis troops in review. Submarine launched at Portsmouth. King George tries machine gun. Train wreck in Kentucky. Brazilian naval students at work. Argentine Foreign Minister arrives here. Army tests new photo guns at Dayton. Speed boat race at Long Beach. Belmont opens. Record bicycle run in California. Water skiing in Seattle.

Sears Names Borg K.C. Branch Head

Gradwell L. Sears, general sales manager of Warners, yesterday announced the appointment of Russell C. Borg as Kansas City branch manager. Borg has been a salesman for the company there. He succeeds Clarence K. Olson, who has resigned from the company.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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"I WANTED WINGS" PARAMOUNT'S "I WANTED WINGS"

PARAMOUNT'S "I WANTED WINGS" PARAMOUNT'S "I WANTED WINGS"

SHE'S GIVING THEM A RUN FOR THEIR MONEY!

BLONDE BOMBER BOOSTS GROSSES TO RECORD HIGHS IN

DENVER, COLO. **NEW ORLEANS, LA.**

HOUSTON, TEX. **MEMPHIS, TENN.**

FORT WORTH, TEX. **TULSA, OKLA.**

LITTLE ROCK, ARK. **MONTGOMERY, ALA.**

GREENSBORO, N. C. **WILMINGTON, N. C.**

"I WANTED WINGS"

A Paramount Picture starring

RAY MILLAND · WILLIAM HOLDEN
WAYNE MORRIS · BRIAN DONLEVY

with CONSTANCE MOORE · VERONICA LAKE · HARRY DAVENPORT

Directed by Mitchell Leisen

PARAMOUNT'S "I WANTED WINGS" PARAMOUNT'S "I WANTED WINGS"

Kent Is Voted New Five-Year 20th-Fox Pact

(*Continued from page* 1)

tury-Fox stockholders at which all directors were reelected.

Kent's new contract runs to May 31, 1946.

The post of chairman of the executive committee, which was voted to Place, has not been filled heretofore. In taking over the post, Place is severing his connection with Chase National Bank, of which he has been a vice-president for many years. In announcing the election of Place, Kent stated that it "was in the interest of reinforcing the organization in New York."

Other officers elected are: W. C. Michel, executive vice-president; Darryl F. Zanuck and William Goetz, vice-presidents; Sydney Towell, treasurer; Wilfred J. Eadie, comptroller and assistant treasurer; Felix A. Jenkins, secretary; John P. Edmondson, J. Harold Lang, and George F. Wasson, Jr., assistant secretaries; Read B. Simonson and Fred L. Metzler, assistant treasurers.

The reelected directors are: H. Donald Campbell, John R. Dillon, Eadie, Daniel O. Hastings, Jenkins, Kent, Edwin P. Kilroe, Michel, William P. Philips, Place, Seton Porter and Towell.

The stockholders' meeting, which was called to order by Kent, and presided over later by Michel, had the reelection of directors as its only scheduled business. There were represented at the meeting a total of 1,051,975 shares of common stock and 803,560 shares of preferred stock.

Only one question was addressed to the chair by a stockholder during the meeting. That was an inquiry as to what the management was doing to cope with "declining earnings." Michel replied that everything was being done that could be done to correct "weak spots" and that the company now is "going forward again."

20th-Fox Quarter Profit Is $404,089

(*Continued from page* 1)

National Theatres during the first quarter of either year.

Gross income for the first quarter of this year was $10,637,609, and expenses amounted to $9,733,010, of which amortization of production and other costs amounted to $6,287,514.

A dividend of 37½ cents a share was declared by the 20th Century-Fox board of directors yesterday for the second quarter of 1941 on the outstanding preferred stock, payable June 30 to stockholders of record June 16.

Reader Guild Data Sent to Washington

Transcripts of the testimony taken in the hearings at the regional Labor Relations Board here on the petition of the Screen Readers Guild to act as collective bargaining agency for major company employes have been sent to the National Labor Relations Board in Washington.

Variety Clubs Whoop It Up Big in Atlantic City

(*Continued from page* 1)

tees of showmen were busy looking after the comfort of the delegates and seeing that their visit here is made enjoyable.

Today the national officers and directors met in executive session and will report tomorrow to the delegates.

Everyone is gay with high hats, phoney mustaches, canes and badges.

Chief Barker John H. Harris and Robert J. O'Donnell of Dallas are the guiding spirits of the convention. Another is Henry Friedman, Philadelphia exhibitor.

Awards to Heroes

M-G-M captured the lobby display prize with an exhibit of a live lion, "Leo," at the Traymore Hotel, convention headquarters. Exhibitors and delegates were photographed free in the cage and awarded "Carnegie medals of bravery" for their action.

Philadelphia has a coterie of beauties on hand to vie with the Atlantic City beauties.

The overflow is so great that neighboring hotels, such as the Claridge and Ambassador, were pressed into service to meet the demands of the "barkers."

Boat rides and fishing parties occupied the delegates shortly after noon, following registration at the Traymore this morning. This afternoon the producer-exhibitor forum held the attention of the visitors, as producer representatives answered exhibitor questions on problems, in round-table fashion.

See Boxing Show

The early evening was set aside to give the delegates a chance at boardwalk wheel-chair perambulation and general sightseeing, followed by a group of private dinner parties.

The evening of this first big convention day was featured by a boxing show on a grand scale, held at the Auditorium, with the contestants including feminine wrestlers, a battle royal in the ring and similar doings, all under the supervision of Leon Rains, Boxing Commissioner of Pennsylvania. The officers' banquet followed.

Tomorrow will be devoted almost in its entirety to a business session of the Variety Clubs of America, running from 10 A.M. to noon, and resuming, after luncheon, at 2 P.M. and continuing until 5 P.M. The various local tents will report on their charitable activities of the past year, and their plans for the current year. National officers will be elected and the winners of the two attendance trophies for this convention will be determined.

'Nights of Nights' Today

Tomorrow evening the Variety Club Night of Nights will be held in the Westminster Room of the Hotel Chelsea, with large scale entertainment the order of the evening, supplemented by a buffet supper.

The schedule for Saturday, the final day, includes the annual golf tournament in the morning, the boardwalk parade, circus and United Artists' cocktail party in the afternoon, and the final banquet in the evening in the Grand Ballroom of the Traymore, at which notable personages from Washington as well as industry executives will be on the three-tier dais.

Variety Club Doings For Next Two Days

Atlantic City, May 15.—This is what the official program says the Variety Clubs of America will be doing at their convention here tomorrow and Saturday:

Friday

10 A.M.-12 M. and 2 P.M.-5 P.M.—Business Session, Hotel Traymore (Grand Ballroom). Election of officers.

1 P.M.—Special Luncheon (European Room).

7:30 P.M.—Variety Club Night of Nights, Hotel Chelsea (Westminster Room).

Saturday

8 A.M.-12 M. — National Variety Golf Tournament.

12 M.-2 P.M.—Boardwalk Parade.

2 P.M.-4 P.M.—Circus at Auditorium.

4 P.M.-6:30 P.M.—United Artists Cocktail Party.

7:30 P.M.—Final Banquet, Traymore Hotel (Grand Ballroom). Presentation of Humanitarian Award.

CEA Plans Fight on Rentals Increases

London, May 15.—The general council of the Cinematograph Exhibitors Association, meeting at Nottingham this week, discussed the alleged attempt of distributors to increase rental terms on Sunday bookings. Further consideration will be given the matter, with a view to ultimate action, it was explained.

The matter was raised by members of the organization from Manchester, who claimed the Kinematograph Renters Society was trying to stifle free bargaining and impose a minimum rental of 25 per cent as a flat rate on Sunday programs. It was contended this appeared to be a precedent, possibly leading to generally increased rental items.

Border Status Hits American Theatres

St. John, N. B., May 15.—American theatre operators near the Canadian-United States border, as well as the operators of other types of business, report a severe handicap because the border status has not been restored to normal.

The chief objection is the refusal to permit Canadians to spend their money in the United States. The prohibition has been of great benefit to Canadian operators, but has worked a real hardship on the theatre operators on the American side of the border. U. S. operators report business off from 20 to 60 per cent.

Loew's Profit For 6 Months Is $5,141,135

(*Continued from page* 1)

on the preferred and to $3.79 per share on the common.

The company's share of operat[illegible] profit after subsidiaries' preferred dividends amounted to $9,473,534 for the first half of the current fiscal year, compared with $11,101,356 for the first half of the preceding year. Provision for depreciation and taxes was $3,432,399, compared with $3,411,528, and the reserve for contingencies was $900,000 both years.

The company's restricted foreign funds are not included in either report. Believed to account in large measure for the $1,648,693 decline in earnings for the period this year, compared with the first half of the preceding year, is the difference in distribution receipts from "Gone With the Wind," which was generally credited with a material contribution to the company's result a year ago.

B'way First Run Grosses Just Fair

(*Continued from page* 1)

Wednesday at the Astor on a continuous run policy and is reported doing well.

The second week of "Citizen Kane" at the Palace was close to the first, netting about $20,500. The third week started yesterday. The run is two-a-day with a midnight show Saturday.

"A Woman's Face" opened yesterday at the Capitol, replacing "Ziegfeld Girl," which played three weeks. The last week's business was about $20,100.

"Girl in the News" finishes a second week at the Globe tonight with about $5,500 expected. It will continue.

'Nights' Withdrawn By 'U' in Argentina

(*Continued from page* 1)

dy in which no offense was intended."

The statement continued: "It is not the policy of Universal to produce any pictures of controversial nature, and in line with this policy, the company has recently created a special department in its studio empowered to delete from scripts and sets any dialogue and scenes which, by any stretch of the imagination, might be interpreted as being derogatory to the customs and feelings of foreign nations. In the case of 'Argentine Nights,' the unfavorable reception was obviously inspired by unfriendly interests in Buenos Aires."

Forms Theatre Company

Albany, May 15. — Viviene E. Sweet, who already operates theatres in Salem and Cambridge, N. Y., is a director in the new Schuylerville Theatres, Inc., incorporated here. Sweet recently took over the Broadway Theatre at Schuylerville.

May Robson in Today

May Robson is scheduled to arrive this morning from Hollywood.

GUESS

WHO?

It's William Powell and we're printing it because we want you to get an idea of why Hollywood says "Bill Powell and Myrna Loy in 'Love Crazy' is one of the funniest pictures ever made!" Hollywood is also saying: "Watch that M-G-M Studio!" One after another: Spencer Tracy, Mickey Rooney in "Men of Boys Town"; "Ziegfeld Girl" starring James Stewart, Judy Garland, Hedy Lamarr, Lana Turner; William Powell, Myrna Loy in "Love Crazy"; Joan Crawford, Melvyn Douglas in the prize picture "A Woman's Face"; Robert Taylor in the Technicolor production "Billy The Kid" and a flock of other LION'S ROARing hits!

WILLIAM POWELL
MYRNA LOY
in
"LOVE CRAZY"
GAIL PATRICK • JACK CARSON
Florence Bates • Sidney Blackmer
Screen Play by William Ludwig,
Charles Lederer and David Hertz
Directed by JACK CONWAY • Produced by PANDRO S. BERMAN
A Metro-Goldwyn-Mayer Picture

'Feeling' and Show Hit in Minneapolis

MINNEAPOLIS, May 15.—"That Uncertain Feeling," with a stage show, attracted $12,000 at the Orpheum. "Ziegfeld Girl" drew $8,000 at the State.

Estimated receipts for the week ending May 9:

"[illegible]hat Uncertain Feeling" (U. A.)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. Stage show including Woody Herman's band, Gene Sheldon, others. Gross, $12,000. (Average, $5,500)
"The Bad Man" (M-G-M)
GOPHER — (998) (28c) 7 days. Gross: $2,800. (Average, $2,500)
"Ziegfeld Girl" (M-G-M)
STATE — (2,300) (28c-39c-44c) 7 days. Gross, $8,000. (Average, $6,000)
"The Great Lie" (W. B.)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $3,500. (Average, $4,000)
"Burning Question" (Ind.) 4 days.
"Knockout" (W. B.) 4 days.
"Dead Men Tell" (20th-Fox) 4 days.
"Here Comes Happiness" (W. B.) 4 days.
ASTER—(900) (15c-28c) 8 days. Gross: $2,200. (Average, $1,800)
"Fantasia" (Disney)
MINNESOTA—(1,850) (50c-75c-$1-$1.50) 7 days, 4th week. Gross: $5,000.
"Adam Had Four Sons" (Col.)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $1,800. (Average, $1,600)

'Hamilton Woman' $11,300 in Toronto

TORONTO, May 15.—"That Hamilton Woman" grossed $11,300 in its second week at the Uptown with receipts aided generally by cool weather. The third week of "The Great Dictator" at Loew's rang up $10,800 and "Penny Serenade" registered $11,800 at the Imperial.

Estimated receipts for the week ending May 10:

"Penny Serenade" (Col.)
IMPERIAL — (3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $11,800. (Average, $9,000)
"The Great Dictator" (U. A.)
LOEW'S — (2,074) (15c-25c-35c-50c-65c) 6 days, 3rd week. Gross: $10,800. (Average, $9,000)
"Buck Privates" (Univ.)
"Blondie Goes Latin" (Col.)
SHEA'S—(2,663) (15c-25c-40c-60c) 6 days, 5th week. Gross: $7,500. (Average, $7,500)
"Strawberry Blonde" (W. B.)
"Shadows on the Stairs" (W. B.)
TIVOLI — (1,434) (10c-25c-40c) 6 days. Gross: $3,400. (Average, $3,900)
"That Hamilton Woman" (U. A.)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days, 2nd week. Gross: $11,300. (Average, $9,000)

'Girl, Guy' Scores $15,100 in Newark

NEWARK, May 15.—RKO Proctor's rang up $15,100 with "A Girl, a Guy and a Gob" and "They Met in Argentina." Pre-election activities contributes to generally dull business.

Estimated receipts for the week ending May 7-9:

"Lady from Cheyenne" (Univ.)
"The Black Cat" (Univ.)
WARNER'S BRANFORD — (2,840) 15c-28c-33c-44c-55c-65c-75c) 7 days. Gross: $13,200. (Average, $14,000).
"A Girl, A Guy and A Gob" (RKO)
"They Met in Argentina" (RKO)
RKO Proctor's — (3,389) (20c-33c-44c-55c-66c-75c) 7 days. Gross: $15,100. (Average, $14,500).
"Carnival in Flanders" (Mayer-Burstyn)
"Mayerling" (Pax Films)
LITTLE — (299) (33c-44c-55c) 7 days. Gross, $1,300. (Average, $1,800)
"Men of Boys Town" (M-G-M)
"Land of Liberty (M-G-M)
LOEW'S STATE — (2,589) (28c-55c) 7 days. Gross: $14,300. (Average, $13,500)
"Sis Hopkins" (Rep.)
"Girls Under 21" (Col.)
PARAMOUNT-NEWARK — (2,200) (15c-28c-33c-40c-55c-75c) 7 days. Gross: $12,600. (Average, $13,750)

Feature Review

"The Gay Vagabond"

(Republic)

WHAT is generally classified as "down-to-earth" comedy is offered here in the domestic trials of Roscoe Karns and Ruth Donnelly, heretofore the "Higgins Family," and now the "Dixons." Karns handles a dual assignment, the husband who lacks "push," and his long-lost explorer brother, an opposite type.

The twin routine is offered at great length in the film and after a spell ceases to be very funny. Ernest Truex plays the domineering boss with sufficient gusto while lesser support is given by Lynn Merrick, daughter of the clan; Margaret Hamilton, the prim neighbor, Abner Biberman and others.

The household first becomes upset when "Mrs. Dixon" invests the family savings in a real estate deal in a get-rich-quick effort, since her husband is in a rut. The brother arrives in town from China with two thugs pursuing him and from there on is the excitement of mistaken identity.

Running time, 66 minutes. "G."*

**"G" denotes general classification.*

Detroit Gives 'Lie' Neat $14,000 Gross

DETROIT, May 15.—The Michigan drew $14,000 with "The Great Lie" and "Las Vegas Nights." "That Night in Rio" and "The Devil and Miss Jones" scored $6,500 at the Adams.

Estimated receipts for the week ending May 8:

"That Night in Rio" (20th-Fox)
"The Devil and Miss Jones" (RKO)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $5,500)
"Nice Girl" (Univ.)
"Adam Had Four Sons" (Col.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $7,000)
"Penny Serenade" (Col.)
"Ride on, Vaquero" (20th-Fox)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)
"The Great Lie" (W. B.)
"Las Vegas Nights" (Para.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $14,000. (Average, $12,000)
"Ziegfeld Girl" (M-G-M).
"A Girl, A Guy and A Gob" (RKO)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. "Ziegfeld" 2nd week. Gross: $7,000. (Average, $7,000)
"Men of Boys Town" (M-G-M)
"The People vs. Dr. Kildare" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days. Gross: $10,000. (Average, $10,000)

Montreal Grosses Show Severe Slump

MONTREAL, May 15.—No theatre in Montreal succeeded in reaching average business in a poor week. "Footsteps in the Dark" and "Knockout" at the Capitol came nearest with $3,800.

Estimated receipts for the week ending May 8:

"Back Street" (Univ.)
LOEW'S—(2,900) (30c-40c-60c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
"The Devil and Miss Jones" (RKO)
PALACE—(2,200) (25c-45c-65c) 7 days. Gross: $4,800. (Average, $7,000)
"Footsteps in the Dark" (W. B.)
"Knockout" (W. B.)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $3,800. (Average, $4,000)
"Reaching for the Sun" (Para.)
"Las Vegas Nights" (Para.)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $2,100. (Average, $2,500)
"So Ends Our Night" (U. A.)
ORPHEUM—(1,000) (30c-43c) 7 days. Gross: $3,400. (Average, $4,000)

'Sea Wolf' in Toronto

TORONTO, May 15. — Alexander Knox, Warner player, will make a personal appearance here tomorrow at the opening of "The Sea Wolf," in which he is featured, at the Imperial Theatre.

Officials Support RKO May Jubilee

The RKO "Maytime Movie Jubilee" has received the official approval of Gov. Charles Edison of New Jersey, who described it as "a welcome force in providing happiness."

Also lending support to the event were New York Borough Presidents Stanley W. Isaacs of Manhattan, James J. Lyons of the Bronx, John Cashmore of Brooklyn, and George U. Harvey of Queens. The Jubilee period will end May 28.

'Hamilton' $12,500 Providence Gross

PROVIDENCE, May 15.—"That Hamilton Woman," paired with "The Big Boss" at Loew's State, took $12,500, but business elsewhere was poor. The Met's stage-screen bill, including the "Vanities" and "Roar of the Press," took $7,500 in three days.

Estimated receipts for the week ending May 7-8:

"Model Wife" (Univ.)
"They Met in Argentina" (RKO)
RKO-ALBEE—(2,239) (28c-39c-50c) 7 days. Gross: $4,300. Average, $6,000)
"That Hamilton Woman" (U. A.)
"The Big Boss" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $12,500. (Average, $11,000)
"The Flame of New Orleans" (Univ.)
"The Man Who Lost Himself" (Univ.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $4,700. (Average, $7,000)
"Power Dive" (Para.)
"The Lone Wolf Takes A Chance" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $5,300. (Average, $6,000)
"Roar of the Press" (Mono.)
METROPOLITAN—(3,045) (28c-39c-55c-75c) 3 days. Stage show with Earl Carroll's "Vanities" featuring Bert Wheeler, Francetta Malloy, Hank Ladd, Bob Williams, the Biltmorettes, Reginald Craig, Beryl Cameron and Frakson. Gross: $7,500. (Average, $4,700)
"Mutiny in the Arctic" (Univ.)
"The Kid's Last Ride" (Mono.)
FAY'S—(1,800) (15c-25c-35c) 7 days. Gross: $2,100. (Average, $2,800)
"The Great Lie" (W. B.)
"Strange Alibi" (W. B.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $1,700. (Average, $3,500)
"Convoy" (RKO) (3 days)
"Vivacious Lady" (RKO) (3 days) (reissue)
"The Bad Man" (M-G-M) (4 days)
"Adam Had Four Sons" (Col.) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,300. (Average, $1,700)

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CLEAR THE MAIN FLOOR for standing room!
CLEAR THE LOBBY for holdouts!
CLEAR THE BOOKING SHEETS FOR EXTENDED HOLDOVERS!

Bud ABBOTT & Lou COSTELLO
DICK POWELL
IN THE NAVY
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Butch & Buddy • Shemp Howard • Sunnie O'Dea • Condos Bros.
Directed by ARTHUR LUBIN • Associate Producer ALEX GOTTLIEB

GET THAT NAVY GRAVY MAY 30TH! DECORATION DAY NATIONAL RELEASE

A UNIVERSAL PICTURE

Phila. Gets Fifth Arbitration Case; 'Run' Hearing Ends

PHILADELPHIA, May 15.—The fifth arbitration complaint for this area was filed at the local board here today by Samuel and Morris Romerson, operators of the Palm Theatre on clearance and named Paramount, 20th Century-Fox and Loew's.

The complaint alleges that the seven-day clearance of the Kent, Wishart and Richmond over the plaintiffs' theatre is unreasonable, and asks an adjustment, contending that it frequently is obliged to wait as much as 18 days for pictures.

Decision on 'Run' Reserved

Hearing of the "some run" complaint of David Silver, operator of the Earle, Newcastle, Del., against Loew's was concluded at the local board today and decision was reserved by Professor Rupert C. Schaeffer, Jr., arbitrator. Schaeffer asked both sides to file briefs and indicated that it would be some time before he would give a decision.

Testimony was taken from T. J. Connors, M-G-M Eastern sales manager, and Rudolph Berger, district manager for the company. C. Stanley Thompson, M-G-M attorney, represented the company. They contended that under Section 17 of the New York case consent decree they have the right to protect their own affiliated theatre, the Loew's Parkway in Wilmington on product, and therefore sell it exclusively in Wilmington. The company sells no second run in the area.

Silver and his attorney, Phillip Stern, contended that under Section 6 of the decree M-G-M is required to offer "some run" to the Earle, regardless.

Breeze Hearing May 28

The local board also set May 28 as the date for hearing the clearance complaint brought by Rose Hexter, operator of the Breeze here against Warners, Paramount, 20th Century-Fox, and naming competing Warner theatres.

MILWAUKEE, May 15.—Hearing of the clearance complaint of the Evansville Theatre against Paramount was concluded here today. Counsel for the plaintiff was given 15 days in which to file briefs. Respondent was given 10 days for reply briefs.

ALBANY, May 15.—Adjournment of the hearing on two clearance complaints brought by Alex Papayanakos, operator of the American Theatre, Canton, against Warners and RKO, until some time next week was ordered following today's hearing.

MPPDA Approves Hughes' New Film

The MPPDA board of directors yesterday approved the revised version of Howard Hughes' "The Outlaw," to be distributed by 20th Century-Fox, and directed that a Production Code seal be issued for the picture.

The decision was made following a number of changes.

Critics' Quotes . . .

"ZIEGFELD GIRL" (M-G-M)

Entertainment for almost every one. Even its musical moments are part of the story, not the best part, but all part of a really good show . . . one of the best of the backstage pictures.—*Eileen Creelman, New York Sun.*

In spite of its pretensions, "Ziegfeld Girl" is plot-heavy, entertainment-shy. It does not come up to the master effort of Director Robert Z. Leonard. —*Time.*

A very nice backstage musical, but it's no sensation by any standards.—*Don Craig, Washington News.*

Its bigness is both a blessing and a handicap to "Ziegfeld." The sheer quantity of its entertainment assures many a moment of quality, but by the same token, it allows dull and static passages to creep into the flow of the story, or stories.—*Jay Carmody, Washington Star.*

In any case, if you think sumptuousness, spectacle and length are value received for your money, the "Ziegfeld Girl" belongs on your marketing list. —*William Boehnel, New York World Telegram.*

"Ziegfeld Girl" is your money's worth if you are satisfied with quantity alone.—*Archer Winsten, New York Post.*

"MODEL WIFE" (Universal)

A diverting little comedy. . . . It's a pleasure to see the Powells play-acting together . . . they are refreshingly natural at this love, quarrel, makeup business.—*Wanda Hale, New York News.*

A sparkling cheating-scissors comedy. . . . It's a punchy comedy, full of flavorsome situations and lines.—*Robert W. Dana, New York Herald Tribune.*

The result is a shifty farce comedy with incredible happenings, some amusing dialogue and one hilarious situation.—*Lee Mortimer, New York Mirror.*

Second-rate entertainment.—*Eileen Creelman, New York Sun.*

It's a light and breezy piece full of laughs that are expertly developed and timed. Production background is adequate with technical contributions typical of the higher bracket attractions.—*Jesse Allen, Newark Star-Ledger.*

Running gags galore and a pleasantly tickling situation create most of the interest in the picture.—*Newark Evening News.*

Wobber Sees Better Conditions Coming

Hollywood, May 15.—Uncertainty over the international situation has temporarily acted as a deterrent to theatre attendance, Herman Wobber, 20th Century-Fox distribution chief, said here today. "But," he added, "as soon as the public makes up its mind on the issues there will be boom times in the industry. The same was true in 1917 in a score of countries, including the United States." Wobber said that theatres are benefiting where in addition to defense spending the population is increasing.

Quebec Tax Relief Decision Due Soon

MONTREAL, May 15.—A decision is expected within a few days from the Quebec Provincial Treasurer Mathewson on the request of exhibitors in the province for modification of the provincial 15 per cent admissions tax in view of the new Dominion tax of 20 per cent which goes into effect next Monday.

A committee representing the Quebec Allied Theatrical Industries, Inc., has conferred with Mathewson in an effort to obtain modification or abolition of the tax.

Failing to obtain relief, the exhibitors are expected to press vigorously for repeal of the Quebec law prohibiting theatre attendance of children under 16. Support for such a drive is expected publicly, particularly in view of the recent expression of the Montreal Synod of the Anglican Church, regretting that many entertaining and educational films are kept from children.

The law was passed in 1927, following the death of more than 80 children as a result of a panic following a Montreal theatre fire. Exhibitors feel that increased box-office returns resulting from repeal of the law will compensate in some measure for the anticipated drop in receipts when the 20 per cent tax becomes effective.

Decision Reserved In Schine Tax Case

The U. S. Circuit Court of Appeals yesterday reserved decision after argument of an appeal taken by the Commissioner of Internal Revenue in a tax dispute with the Schine Chain Theatres, Inc., which involved an alleged deficiency in income taxes totaling $78,157.

The court had been asked to rule on the taxability of rent deposits which the Schine Theatres obtained in 1929 from the Fox Metropolitan Playhouses, Inc., in leasing to the latter some 20 theatres owned by Schine.

The rent deposits, which consisted of a payment in advance of part of the rent, were subdivided into 21 parts for the payment of annual taxes, according to the Government. In 1933 the leases were cancelled when the Fox companies went into receivership, and the deposit was forfeited under the terms of the leases. The commissioner sought to credit the $630,805 balance of the rent deposit as profits for the year of 1933.

Schine contested the tax successfully, claiming that it should have been charged to the year 1929, and that the statute of limitations now barred collection. The U. S. Board of Tax Appeals in January, 1940, ruled that a rent deposit must be paid during the year it was received, and that it could not be charged subsequently.

Nathanson to Get Canada War Post As Film Official

(*Continued from page* 1)

think a Canadian should do. My primary interest now is to do something toward winning the war."

Although not elaborated on, his statement is interpreted here as co[illegible]firming the reports of his future [illegible]sociation with Government work.

Announcement regarding Nathanson's new Canadian theatre circuit is not expected here for some time, pending organizational developments. However, it is understood that Morris A. Milligan, who resigned last February as general manager of Paramount Film Service, Ltd., acted for Nathanson in the recent purchase of three Fred Guest theatres at Hamilton, and more recently in acquiring theatres in the Eastern Maritime provinces.

Other Resignations

Following Nathanson's resignation from FPC, the resignations of Ed Harris, supervisor of theatre maintenance for the company, and Jay I. English, FPC supervising architect, were received today. Canadian associates of Nathanson who retired from the FPC board at Wednesday's meeting were W. D. Ross, Major A. P. Holt, F. B. McCurdy and A. E. Dyment.

Harry S. Dahn, previously associated with Nathanson in an executive capacity in FPC, and later supervisor of Hanson Theatres Corp., has resigned as general manager of Consolidated Theatres Association, an organization of Ontario independent exhibitors. It is believed here that he will be associated with Nathanson in his new theatre interests, reported to number about 75 houses.

Nathanson revealed that Paramount owns approximately 90 per cent of the stock of FPC. His own interest is believed to be less than 10 per cent, so that whether he retains or disposes of it is of no corporate significance.

Asked whether a recent Government prohibition of construction of business properties, including theatres, because of the war demand for steel, would hamper expansion plans of the new Nathanson theatre organization, a prominent theatre man replied: "They can be built of concrete."

Reported changes of theatre personnel in FPC under J. J. Fitzgibbons, new president and managing director, are not expected to be made immediately.

Mexican Test Case On Theatre Closing

MEXICO CITY, May 15.—An injunction suit that is regarded as a test of the authority of the municipal Government here to order the closing of a theatre when the exhibitor fails to obey its orders to make repairs, has been filed with the First District Court by Eduardo Chavez Garcia, owner of the Cine Regio, a subsequent run theatre.

Garcia said that the Government ordered him to repair his theatre and allowed him 30 days in which to do so. This term, it was found, was too short.

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NBC Places Short Wave On Full Time

Acting on a suggestion received from Washington late yesterday afternoon, NBC hurriedly swung into a 24-hour short wave schedule just at midnight. Although NBC was preparing to go on a "war basis" shortly and was engaged in hiring personnel for the extended operation, the official message received yesterday urged an immediate changeover.

The normal schedule of broadcasts beamed to Europe from 7 A.M. to 4 P.M. and to Latin America from 4 P.M. to 2 P.M. was cancelled. Instead, at midnight the remaining two hours of Latin American broadcasting were cut and a half-hour broadcast to France in French was substituted.

From 12:30-12:45 A.M., broadcasting was in Spanish to Spain and from 12:45-1 A.M. in Portuguese to Portugal. This complete one-hour cycle was repeated hourly and was scheduled to continue until 10 o'clock this morning when normal broadcasts to Europe are to be resumed. The programs consisted mainly of news with recorded music used to fill any remaining time.

The operation is scheduled to be repeated tonight and thereafter until a permanent program is developed. NBC normally operates with two 50,000-watt transmitters, WNBI and WRCA, transmitting simultaneously with the same program. However, in order to achieve better reception in Europe, WRCA was cut off the air midnight and the full 100,000 watts concentrated in WNBI.

Latin American newspapers are known to rely heavily on news broadcast between 1 and 2 A.M. when the wire services cease functioning. Whether there will be some method of continuing this service was being studied late last night.

Networks which had been attempting to pick up Berlin and Vichy yesterday afternoon were unable to do so up to a late hour yesterday.

White House Silent On Ethridge Action

Washington, May 15.—The White House today had no comment on the resignation of Mark Ethridge from his appointment by President Roosevelt to study the concentration of control in broadcasting.

Asked about the matter at his daily press conference, Stephen T. Early, secretary to the President, said merely that Ethridge was a "fine gentleman" and indicated that he was held in esteem by the President, but refused to discuss the situation created by the FCC monopoly report.

Off the Antenna

WITH WQXR's application for a commercial FM license, the total in the New York metropolitan area has increased to 19. Eight of these have already been granted, leaving 11 applicants for the remaining four channels. Thus far W71NY (WOR) is the only commercial FM station in actual operation here.

The situation around the country on commercial FM stations improved noticeably in the past week, with six more starting operations. The total is now 12, and two more have been granted permission to change their existing stations from experimental to commercial transmission. In addition, there are 14 FM stations which broadcast programs regularly under experimental licenses.

• • •

Purely Personal: *Al Simon, WHN publicity director, will be guest on "Behind the Mike" over NBC-Blue Sunday. Simon is known to have the best collection of slips of the tongue at the microphone and he will tell about some of his choice items. . . . Melville J. Jacoby has been named the second Far Eastern correspondent by NBC. . . . Ralph Eddy, formerly of WHIP, Hammond, Ind., has joined the announcing staff of WGN, Chicago. . . . George Putnam has been named announcer on "Can You Top This?" over WOR. . . . Robert Cochran, formerly announcer at WWSW, Pittsburgh, has joined WCAE, Pittsburgh. . . . Paul Barnes, formerly with NBC in Chicago, has joined the announcing staff of KOV, Pittsburgh. . . . A. O. Hardy, former supervisor of radio activities for the National Youth Administration in Ohio, is joining WJSV, Washington, as field engineer.*

• • •

Raymond Paige, who conducted a 100-piece orchestra on the "Musical Americana" series, has been named music supervisor of the League of Young Americans, a patriotic organization. His first assignment is to organize another 100-piece orchestra of instrumentalists and vocalists from 16 to 30 years of age. . .

• • •

General Electric short wave stations in Schenectady, during the past two months, have added 20 new foreign language newscasts to their schedule, John R. Sheehan, in charge of short wave programs, said yesterday. The largest number of additions is on the Portuguese schedule, which has been increased from 12 to 19 15-minute newscasts weekly. Spanish newscasts have been increased from 11 to 17; six French programs have been added, and one in Greek. The total is now 43 periods of newscasts weekly in four languages.

• • •

Program News: *Liggett & Myers Tobacco has renewed "Fred Waring in Pleasure Time" for the third year over NBC-Red, effective June 16. There will be 102 stations on the hookup, including Honolulu. . . . Eddie Bracken and Don Ameche will be the summer substitutes on "Kraft Music Hall" for Bob Burns and Bing Crosby. . . . "Modern Design Music" will be sponsored Monday through Saturday 8:20-8:25 A.M. over WABC by American Cigarette & Cigar Co. . . . "American Aviation," the only commercial program over NBC short wave to Latin America heard in three languages, Spanish, Portuguese and English, will mark its 26th week on the air Sunday. . . . WPAT, Paterson, will have a Hollywood and Broadway series, Saturdays 1-1:30 P.M., with Bill Berns, who conducts a similar program on WBNX.*

Suit Naming WMCA And FCC Dismissed

Federal Judge Samuel Mandelbaum yesterday dismissed an injunction suit of the New York College Teachers Union against the Joint Legislative Committee and naming also WMCA and the FCC. The action charged interference with a radio program, "The Truth About the Schools," sponsored by the union. The court held the Committee was justified in seeking the names of persons appearing on the broadcasts. WMCA, which has adopted a policy of refusing sponsorship of programs on controversial subjects, has cancelled the program.

Ascap Talent Will Salute MBS Sunday

Ascap will salute the Mutual network in a special program Sunday over WOR, 10-11 P. M.—and resume 11:15-11:45 P. M. The program will originate in New York, Chicago and Hollywood, with a large array of talent.

WIBC Ready Next Week

INDIANAPOLIS, May 15.—Because of Government priority on materials used in constructing a new transmitter, WIBC had to postpone start of full time with 5,000 watts to next week.

FM Will Surpass AM in Five Years, Armstrong Forecasts at NAB Meet

St. Louis, May 15.—In five years, FM will have passed the present amplitude modulation type of broadcasting, Major Edwin H. Armstrong, inventor of FM, forecast today before the NAB convention. By that time, he declared, FM will have replaced AM entirely in the metropolitan centers. He said there were now 26 stations in operation, mostly in the East, and 20 under construction. Between 30,000 and 40,000 sets are in use, he said.

Alfred H. Morton, vice-president of NBC, in an address on television, said there are 4,500 television sets in use in the United States.

Fly Lashes at NAB; Scouts 'Politics' Talk

(*Continued from page 1*)

anti-monopoly report made any further discussion by him academic.

As to the industry's contention the Commission's decisions were politi[illegible] influenced, Fly said: "When the [illegible] fellow from the hills comes in and asks his Congressman to help him get a 100-watt radio station, he is to be slapped into the bastille; but God forbid that anything be done to break up the famous triple toss combination with all of its beneficent results."

Fly said he had received many indorsements from small station owners of the the FCC monopoly report. He reiterated his willingness to cooperate to return radio to its freedom "and to make it a truly American system."

Neville Miller, president of the NAB, later issued a statement in which he said Mark Ethridge's speech attacking the FCC report had made up the minds of the broadcasters on what to do about the report, and "we believe that Government regulation is now in danger of becoming punitive and arbitrary Government control."

He added: "I know that I would not be fair to the feeling of all of us if I did not say that this is not to be considered a 'fight' between Government and radio."

Interstate Plans FM Station Here

WASHINGTON, May 15.—The FCC has received applications for construction permits from the Interstate Broadcasting Co., Inc., New York, for a new FM station to operate on 48,700 kilocycles covering 8,550 square miles with a population of $10,817,455; George Johnston, Jr., for a new 1,340-kilocycle, 250-watt regular station at Birmingham, Ala., and Iowa Great Lakes Broadcasting Co. for a new 1,240-kilocycle, 100-watt station at Spencer, Ia.

Applications of the Head of the Lakes Broadcasting Co. for an FM station at Duluth, Minn., and the Contra Costa Broadcasting Co. for a 1,210-kilocycle, 500-watt station at Richmond, Cal., were ordered placed on file pending settlement of the newspaper-policy issue, and a hearing was ordered, at a date to be set later, on the application of Station KFXM, San Bernardino, Cal., for change of frequency from 1,240 to 1,420 kilocycles, extension of time from sharing to unlimited, and increase of power from 250 to 1,000 watts.

Hearing on N.C. Applications

WASHINGTON, May 15.—The FCC will hold a hearing on the contesting applications for a construction permit for a new 1,370-kilocycle, 100-watt station of the High Point Broadcasting Co., High Point, N. C., and Ralph L. Lewis, Greensboro, N. C.

Mike Jacobs to Testify

Mike Jacobs, head of 20th Century Sporting Club, was ordered yesterday by N. Y. Supreme Court Justice John F. Carew to testify before trial on Monday in reference to the suit of NBC against Mutual on broadcasts of Madison Square Garden fights.

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G. W. Carver Given Variety Clubs' Award

First Negro to Receive Humanitarian Citation

By SAM SHAIN

ATLANTIC CITY, May 18.—George Washington Carver, 77-year-old Negro educator, was given the Humanitarian Award of the Variety Clubs of America at the banquet last night which concluded the Clubs' seventh annual convention here.

Eugene L. Connally of Pittsburgh, chairman of the Humanitarian Award Committee of the Variety Clubs of America, made the citation and presented a scroll to Carver, and John H. Harris, national Chief Barker, presented him a plaque and a check for $1,000. The recipient responded.

The award was the highlight of the banquet, held in the grand ballroom of the Traymore Hotel. Senator Tom

(*Continued on page 4*)

Chances Seen Good For Probe of FCC

WASHINGTON, May 18.—The Federal Communications Commission today faced a major crisis, confronted by an almost certain Congressional investigation, opposed by a great majority of the broadcasters, and highly uncertain of support by the Administration.

As the board of directors of the NAB, meeting in St. Louis Friday, demanded the resignation of Chairman

(*Continued on page 8*)

Sparks and Para. Talk Deal for Fla. Circuit

Atlantic City, May 18.—It was reported here that Paramount and E. J. Sparks are discussing a proposal whereby he will dispose of his interest in the Sparks All Florida Circuit of about 100 theatres to Paramount. It is also reported that Col. Frank Rogers, partner with Sparks, will retain his interest if a deal is consummated.

Million to Charity From Variety Clubs

Atlantic City, May 18.—The Variety Clubs of America will have raised and contributed $1,000,000 to various humanitarian causes by the end of this year. They have already contributed $800,000, including amounts raised for the President's Birthday Paralysis Fund. Memphis Tent No. 20 won the citation for the greatest charity accomplishments this year among all Variety Clubs. The convention souvenir program under Jay Emanuel's direction brought an estimated $20,000.

FP Canadian Takes Over Hanson Group, Consolidating Setup

By W. M. GLADISH

TORONTO, May 18.—Famous Players Canadian Corp. has absorbed the Hanson Theatres Corp. circuit of 25 houses in Ontario, following the withdrawal of the N. L. Nathanson interests from FPC. This consolidates the FPC setup.

For years headed by Oscar Hanson as a presumably independent circuit in opposition to FPC, the group was regarded as under Nathanson's influence. Hanson resigned as president of the corporation about two weeks ago.

J. J. Fitzgibbons, new president and managing director of FPC, summoned

(*Continued on page 5*)

TRADE FACED 1,200 BILLS IN 43 STATES

Double Normal Average; Minn. Anti-Five Is Only Adverse Law Passed

By SHERWIN A. KANE

Approximately 1,200 bills affecting the industry directly or indirectly have been introduced in 43 state legislatures which have convened this year, it is disclosed by a nationwide checkup just completed by MOTION PICTURE DAILY.

The number is more than double the annual average for many years prior to 1940, yet more than half of the unfavorable bills already have been defeated and only one such measure—the Minnesota anti-consent decree law—has been enacted.

Legislatures still are in session in 16 of the 43 states, and indications are that few of the approximately 600 measures before them which are unfavorable to the industry will be en-

(*Continued on page 6*)

U.S. Reluctant To Raise Rate Of Ticket Tax

By BERTRAM F. LINZ

WASHINGTON, May 18.—Fearful that it might result in a loss of theatre patronage and reduce the number of people to be reached with short subjects on recruiting, defense bonds and other activities, Administration officials concerned with the development of new tax revenues were represented tonight as reluctant to suggest an increase in the admissions tax rate, as well as the broadening of the base already urged, yet hard pressed to find ways of raising more than the $3,500,000,000 originally set as the goal of the tax legislation now before the House Ways and Means Committee.

The indications tonight were that the Treasury would accept the suggestion of the exhibitor representatives who appeared before the committee, and content itself with entire elimination of the admission

(*Continued on page 5*)

Industry Is Vital Force in Defense, Says Sen. Connally

ATLANTIC CITY, May 18.—The motion picture industry was praised as "a vital force in stimulating unity, fostering patriotism and contributing to our program for national defense" by Senator Tom Connally of Texas, principal speaker at the Variety Clubs of America annual banquet here last night.

"The motion picture industry is today doing much more than supplying the public with entertainment and instruction," the Senator declared, "something more than preserving in imperishable films the pictorial record of our times, but in resurrecting and presenting the history and romance of the past.

"The pages of history reveal no

(*Continued on page 4*)

Goldenson to Speak Before SMPE Group

Leonard Goldenson, in charge of theatre operations for Paramount, will be the chief speaker at the meeting of the Atlantic Coast Section of the Society of Motion Picture Engineers at the Hotel Pennsylvania on Wednesday evening. His subject will be "The Effect of the Engineer on the Box-Office."

Another speaker at the meeting, the general topic for which is "Theatres," will be J. R. Switzer of Continental Lithograph Corp., Cleveland, speaking on "Black Light Fluorescence in the Theatrical Field." The meeting will be open generally to persons in the industry.

New Canadian Tax Is Effective Today

OTTAWA, May 18.—Motion picture theatres throughout Canada have completed preparations for the inauguration tomorrow of the new Federal tax on film theatre admissions of 20 per cent.

Called for in the recent budget message to the Canadian House of Com-

(*Continued on page 6*)

Mich. Anti-Five Bill Reported Favorably

Lansing, Mich., May 18.—The Snow anti-blocks-of-five bill was reported out favorably by the House State Affairs Committee of the Michigan Legislature on Friday and is scheduled to come up for debate in the House tomorrow. The bill is similar to the new Minnesota law. Rep. Raymond J. Snow also introduced a bill to prohibit programs of more than 150 minutes.

Merchants Aid in House Reopening

Milton, Ia., May 18. — In order to induce Campbell Lowe of Kirkville, Mo., to reopen the Milton Theatre here, local merchants donated money to be applied to the rent of the building. The house wil operate Saturday, Sunday and Wednesday nights.

McCormick Leaves For Studio Parleys

S. Barret McCormick, director of RKO advertising and publicity, left Friday night for the Coast to confer with George J. Schaefer, president, on advertising plans for next season. David Strumpf, director of the art department, accompanied McCormick.

Terry Turner, head of the field exploitation staff, left Friday night for the Coast, to prepare for the opening of "Citizen Kane" at the Geary in San Francisco, May 27 and "Sunny" at the Golden Gate the following day.

Langan Is Named 'U' K. C. Manager

Jack Langan, manager of Universal's Denver exchange, has been transferred as branch manager in Kansas City, effective next Monday, by W. A. Scully, general sales manager. Langan replaces Grover Parsons, resigned.

Sam Milner, salesman in Los Angeles, has been promoted to manager of the Denver branch.

Personal Mention

SPYROS SKOURAS, head of National Theatres, and his assistant, JOHN HEALY, returned from Los Angeles by plane Friday.

•

KATHARINE BROWN is recuperating at Doctors Hospital after an operation.

•

JOSEPH PINCUS, Eastern talent scout for 20th Century-Fox, is vacationing in Hollywood, Fla.

•

O. HENRY BRIGGS, president of Producers Releasing Corp., left for the Coast on Friday.

•

E. BRUCE JOHNSON, president of General Register Corp., has left on a two-week fishing trip in Ontario.

•

WILLIAM CURDY, exhibitor in Portland, Ore., was a New York visitor last week.

•

BERNARD HYNES, manager of the Fox Denver Theatre, Denver, is on a month's vaction in Hollywood.

•

VIC GAUNTLETT, director of advertising and publicity for Hamrick-Evergreen Theatres, Seattle, is general chairman of the annual "Potlatch" celebration, county festival here, from July 29 to Aug. 3.

•

WOODROW SHERRALL, M-G-M booker in Des Moines, is on a two-week vacation.

G. RALPH BRANTON, general manager of Tri-States Circuit in Des Moines, visited Chicago late last week.

•

CHARLES E. MCCARTHY, director of advertising and publicity for 20th Century-Fox, has returned from the Coast.

•

PHIL DIMOS, manager of the Roxy, New Britain, Conn., during the Winter, while NICK MARLEMES, owner, was in Florida, now is scheduled for a two-month vacation at Tarpon Springs, Fla.

•

MAX ROTH, Buffalo branch manager for Warners, is in the hospital for a checkup.

•

BEN PIAZZA, RKO talent scout, was in Chicago late last week.

•

FRED GREENWAY, manager of the Palace in Hartford, Conn., has left for Chicago, first of the Loew-Poli managers to take a vacation.

•

LEO RICCI of the Capitol, Meriden, Conn., is visiting in Washington.

•

DAN FINN, of the Warner Theatres staff in New Haven, has returned from Florida.

•

PAUL WALSH, booker; MYRTLE BECHTAL and MARY CLAYTON of the Warner Des Moines office are vacationing.

THE FACES THAT LAUNCHED A 1000 LAUGHS AND BROKE ALL HOLDOVER RECORDS WITH "BUCK PRIVATES"... ARE DUE AGAIN!

GET THAT NAVY GRAVY MAY 30TH! DECORATION DAY NATIONAL RELEASE

Bud ABBOTT & Lou COSTELLO
DICK POWELL
IN THE NAVY
with THE ANDREWS SISTERS • Claire Dodd • Dick Foran
Butch & Buddy • Shemp Howard • Sunnie O'Dea • Condos Bros.
Directed by ARTHUR LUBIN • Associate Producer ALEX GOTTLIEB

A UNIVERSAL PICTURE

Bernstein's Son Is Wed in Indianapolis

INDIANAPOLIS, May 18.—Robert M. Bernstein, son of David Bernstein, vice-president and treasurer of Loew's, Inc., and Jacqueline Wolf of this city, were married here today at the Indianapolis Athletic Club. Rabbi Morris Feurlicht of the Indianapolis Hebrew Temple officiated.

Bernstein, a graduate of Harvard College, class of 1935, and the Graduate School, Class of 1937, is in the M-G-M sales department in New York. The couple will honeymoon for several weeks in Mexico, and will reside in New York.

Kent's Coast Trip Scheduled June 1

Sidney R. Kent, president of 20th Century-Fox, is expected to leave for the studio about June 1 for new season product conferences. He may be accompanied by Hermann G. Place, newly elected chairman of the executive committee.

Big U Club Has Party

The Big U Club held a housewarming party late last week to mark renovation of the exchange.

12TH WEEK ON B'WAY

JEAN GABIN in original unexpurgated PEPE LE MOKO ★★★★ LIB. MAG.

Dist. by MAYER-BURSTYN

House Has Reels During Morning

Milwaukee, May 18.—Fox is operating its 1,400-seat Strand here as a newsreel house from 9 A. M. to 1 P. M. at 25 cents admission and as a first run house the rest of the day at 33, 44 and 55 cents admission.

Illinois Allied Me[illegible] To Discuss Grosses

CHICAGO, May 18.—Jack Kirsch, president of Illinois Allied, has called a general membership meeting for next Wednesday at the Congress Hotel to discuss the decreasing grosses at members' houses.

Kirsch said, "Other lines of business have been on the upswing yet our receipts are falling off at an alarming rate. We hope to find out bv intelligent discussion if it's the pictures we are getting, the war, double and triple features or what."

Tri-States Holding Manager Meeting

DES MOINES, May 18.—All managers of theatres in the Tri-States circuit will attend a conference at the home office here tomorrow and Tuesday for a general consideration of business and to discuss plans for the Summer trade. G. Ralph Branton, Tri-States general manager, will preside at the meeting.

Several Hundred At Bookers Party

Several hundred persons attended the Motion Picture Bookers Club second annual dinner and dance last night at the Hotel Astor Roof. Dan Ponticelle, Warner booker, was in charge of arrangements, assisted by Max Fried of the Century Circuit and others. Harold Klein of the Joelson Circuit is president of the club.

Kalcheims' Father Dies

CHICAGO, May 18.—Funeral services were held here Friday for William Kalcheim, who died at Henrotin Hospital following a stroke. He was the father of Harry Kalcheim of the staff of the Paramount Theatre, New York, and Nat and Jack Kalcheim of the William Morris Agency.

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DAILY
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NEW BEAUTY

SUPERB photography distinguishes modern screen productions. Dramatic lighting and interesting camera angles receive stimulating support from the high quality and unvarying uniformity of Eastman negative films—each an expert in its field. Eastman Kodak Company, Rochester, N. Y.

J. E. BRULATOUR, INC., *Distributors*
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PLUS-X
for general studio use

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when little light is available

BACKGROUND-X
for backgrounds and general exterior work

EASTMAN NEGATIVE FILMS

Senator Lauds Industry's Defense Role

John H. Harris Elected Chief For 8th Time

ATLANTIC CITY, May 18.—John H. Harris of Pittsburgh, first president of the Variety Clubs, will continue as National Chief Barker for another term. His plea for permission to retire after serving in the office seven years was turned into a vociferous acclamation vote that he keep the post for another year, at least, and so the founder of the Variety Clubs bowed.

1942 in Hollywood

Atlantic City, May 18.—The next convention of the Variety Clubs of America will be held in Hollywood. Miami and Cleveland tents also bid for the 1942 convention.

Reelected with him at Friday's business session were all other national officers: First Assistant National Chief Barker, Robert J. O'Donnell, Dallas; Second Assistant National Chief Barker, Harry Kalmine, Pittsburgh; National Property Man, Eddie Reuben; National Dough Boy, James Balmer, Pittsburgh.

National Canvasmen (Variety National Board of Directors) named by the various tents were: Pittsburgh, C. C. Allenberg; Columbus, Virgil Jackson; Cincinnati, Allan Maritz; St. Louis, Louis Ancell; Detroit, Charles Perry; Cleveland, Bert M. Stearn; Buffalo, Robert Murphy; Kansas City, Jerry Zigmond; Indianapolis, Marc Wolff; Washington, Hardie Meakin; Minneapolis, Benjamin Blotcky; Philadelphia, Earle W. Sweigert; Milwaukee, Oscar E. Olsen; Omaha, Walter M. Green; Dallas, Paul Short; Dayton, Herb Byrd; Baltimore, Louis Rome; Memphis, M. A. Lightman; Atlanta, William K. Jenkins; Oklahoma, L. C. Griffith; New England, Martin J. Mullin; Charlotte, H. H. Everett.

Variety Club Humanitarian Award Given to G. W. Carver

(Continued from page 1)

Connally of Texas made the principal address, and William McCraw, formerly Attorney General of Texas, was toastmaster.

This was the first time a Negro had been so honored. The award last year was won by Miss Martha Berry and the year before by Father Edward J. Flanagan of Boys Town.

Carver was given the award for his humanitarian world of many years among people of his race. He has gained wide fame for his agricultural research at Tuskegee Institute in Alabama. Born of slave parents near Diamond Grove, Mo., about 1864, in infancy he lost his father and was stolen and carried into Arkansas with his mother, who was never heard of again.

Bought for Race Horse

He was bought from his captors for a race horse valued at $300, and returned to his former home in Missouri. He worked his way through high school at Minneapolis, Kan., and later through college, obtaining degrees from Iowa State College and Simpson College in Iowa. After teaching at Iowa State College, in 1896 became a member of the faculty of Tuskegee, where he is director of the department of agricultural research.

The Variety Clubs' "monster" boardwalk parade was witnessed by more than 50,000 persons lining both sides while thousands watched from boardwalk hotel windows, and other spectators jammed the side streets. Five thousand persons were in the line of march, headed by an 80-piece girls' band. There were veterans, soldiers from Fort Dix, and national Variety Club officers and chief barkers of the local tents, colorful floats and "barkers" in costumes typical of their home territories. The afternoon was clear and sunny, perfect for a parade. A couple of Navy blimps overhead added to the color.

The Hollywood stars and distinguished guests were among the marchers and received a big hand, particularly Father Flanagan.

The parade terminated at the Atlantic City Auditorium where immediately following a circus took place, with the Variety Clubs playing host to several thousand institutional children, with free admittance also to other children. The entertainment was gala.

United Artists was host at a cocktail party following, with Harry L. Gold, Eastern sales manager, receiving with Arthur W. Kelly, vice-president and general sales manager. This affair was big and handsome.

And then, as the climax, came the event of events, the annual banquet.

One of Biggest Meetings

The convention was one of the largest in the 14-year history of the Variety Clubs and was handled under the direction of Philadelphia Tent No. 13, of which Dr. Leon Levy is Chief Barker. The convention arrangements, which won the acclaim of the 1,200 delegates and friends, were under the direction of Earle W. Sweigert of that tent.

T. J. Connors, Southern, Eastern and Canadian division manager for M-G-M, gave a reception Friday afternoon for visiting Senators and film stars. Among those present were Sen. Tom Connally of Texas, Sen. Carl A. Hatch of New Mexico, Sen. James M. Mead of New York, Mayor Thomas D. Taggart of Atlantic City, Edward Halsey, secretary of the U. S. Senate; J. Edgar Hoover, chief of the F.B.I.; Laraine Day, Dorothy Lamour, Robert Young, Walter Pidgeon, Wayne Morris, Eddie Norris, John H. Harris, R. J. O'Donnell, Carter Barron, Ray Bell, Max A. Cohen, Charles E. Kessnich and Robert Christenberry.

Many Officials Present

Carter Barron, head of the Washington dignitaries committee, was congratulated on having obtained the largest group of Washington officials ever to have attended a Variety Club convention.

The Night of Nights at the Hotel Chelsea Friday was a big party, following business sessions during the day. Golfing "barkers" Saturday morning competed for Variety Club trophies and more than 20 special prizes.

On the Dais

Atlantic City, May 18

A LARGE list of distinguished and honor guests were present at the Variety Club annual banquet Saturday night.

On the main dais were: John H. Harris, Frank C. Walker, Postmaster General; J. Edgar Hoover, F.B.I. chief; Mayor Thomas D. Taggart of Atlantic City; Walter Wanger, Father Edward J. Flanagan of Boys Town; Rev. Henry M. Mellin, Protestant Chaplain, Atlantic City; Rev. Sylvester McCarthy, Catholic Chaplain of Philadelphia; Rabbi Henry M. Fisher, Atlantic City; Walter Pidgeon, Jean Hersholt, Senator Tom Connally of Texas; Senator Elmer Thomas, Oklahoma; Senator Clyde Herring of Iowa; Senator Albert Chandler, of Kentucky.

Also Barney Balaban, Jack Cohn, Stanton Griffis, Edwin L. Weisl, Joseph Bernhard, Maurice Silverstone, Spyros Skouras, U. S. Senator Joseph F. Guffey, Pennsylvania; Matthew McGuire, executive assistant U. S. Treasurer; U. S. Attorney General Robert Jackson; Senator James Mead, New York; Edward Halsey, Secretary of U. S. Senate; Dr. Justo Sierra, Secretary of Mexican Embassy, Washington; Mayor John Tobin, Boston; Herman Robbins, Phil Reagan, Stan Laurel, Oliver Hardy, Lew Ayres, Marjorie Weaver, Fay Wray, Dorothy Lamour, Laraine Day, Robert Young, Andy Devine, Ronald Reagan, Eddie Norris, Wayne Morris, Helen Parrish.

Honor dais guests were: Colvin Brown, William F. Rodgers, T. J. Connors, E. K. O'Shea, Robert Christenberry, Sam Shain, Jay Emanuel, William Sussman, William Gehring, William Kupper, Robert Mochrie, Max A. Cohen, Cresson Smith, Harry L. Gold, F. J. McCarthy, D. W. Weshner, Paul Terry, Harvey Day, Ted Schlanger, Joseph A. McConville, Rube Jackter, Abe Schneider, Louis Weinberg, Louis Astor, Max Weisfeldt, John Nolan, John Roberts, A. H. Blank, Louis Krouse, J. J. Unger, Sam Dembow, Robert M. Gillham, George Dembow, Earle Sweigert, Carter Barron, Paul Short, Jack Beresin, Harry Kalmine, Joseph Vogel, Charles Moskowitz, Leonard Schlesinger, James Balmer, Ned E. Depinet, Gradwell L. Sears, John Maloney.

Films' Aid Is Vital in Unity, Says Connally

(Continued from page 1)

more fundamental struggle in the history of mankind than that which faces the world today. Democracy and free government must and should not be butchered by the barbarism and savagery of Hitler and Mussolini who plot the assassination of liberties throughout the world.

"The course of history and our daily life are being affected by the titanic contest of the present war. America is conscious of the service being rendered to America and democracy by motion pictures.

"Showing to 80 million persons a week, the motion picture industry is stimulating unity among our people and is fostering patriotism and is contributing to our program for defense."

Rialto Is Reported Installing Television

The Rialto theatre is negotiating with Scophony for the installation of a large screen television receiver and formal announcement of the closing of the deal may be made early this week, it was reported over the weekend. Arthur Levey, Scophony representative, refused to comment on the report. Arthur Mayer, Rialto managing director, could not be reached.

There was speculation in television circles about program service, particularly in view of the fact that no theatre program service has been established. However, it was pointed out, on July 1 home television will go on a commercial basis with stations required to operate a minimum of 15 hours weekly.

In television circles it was pointed out that the reception of the same programs in the home as well as theatres would not be a great competitive factor since there are comparatively few home installations and the price of sets is expected to limit their sale for the present.

Studios Start Six More Army Films

HOLLYWOOD, May 18.—Darryl F. Zanuck, chairman of the Research Council of the Academy of M. P. Arts and Sciences, has announced the start of six more Army Signal Corps training films for the War Department, being produced by the studios under the Council's direction.

Wary G-Man

Atlantic City, May 18.

A GAG story making the rounds of the Variety Club convention delegates here was that J. Edgar Hoover, chief G-man, wouldn't pose with Leo the Lion in his cage unless the beast was mugged and fingerprinted first.

U.S. Reluctant To Raise Rate Of Ticket Tax

(Continued from page 1)

tax exemption. At the same time, it was seen probable that the proposal for a film rental [illegible] would be dropped as creating [illegible]burden on the industry out of proportion to the return to the Government.

Tomorrow, Assistant Secretary of the Treasury John L. Sullivan will make his second appearance before the committee, possibly to suggest ways in which $500,000,000 to $1,000,000,000 more than originally asked can be raised.

Other than to admit that the tax legislation "is a mess," officials refuse to discuss the situation, but have not denied rumors of the past few days that much more than $3,500,000,000 in new money will be necessary if the Treasury is to make good its policy of financing two-thirds of the defense program by taxation and one-third by borrowing, in the light of the heavily increased expenditures now seen as probable.

There was no confirmation of reports that an increase in the admissions tax was to be proposed, but it was understood that every possible avenue of revenue had been canvassed, which would indicate that some consideration had been given the matter.

The greatest influence against an increase is the desire of the Administration to make the fullest possible use of motion pictures to carry its messages to the public and the knowledge that an increase in the tax would tend to reduce patronage in some areas and among some classes of people. At the same time, it is realized that motion pictures are practically the only recreation and amusement of millions of people, even in the most prosperous periods, and that they contribute greatly to the maintenance of morale.

Corporations in the industry are likely to be called upon to bear a heavy burden in the way of excess profits taxes, new plans for which are expected to be placed before the committee tomorrow by Sullivan.

Sherman, Steiner Get Cohen Interest

Benjamin Sherman, president, and Charles Steiner, vice-president of Belle Theatres, Inc., and Greenvine Theatre, Inc., have taken over the interest of Max A. Cohen, who has withdrawn from the circuit, of which he was treasurer. Greenvine Theatre, Inc., is the corporate operator of the Star Theatre, Manhattan, and Belle operates several other houses on the East Side.

Belle Theatres will move their offices from 214 West 42nd Street to 62 Delancey Street.

Arbitrator Named On Phila. Complaint

PHILADELPHIA, May 18.—Rowland J. Christy, local attorney, has been designated arbitrator for the clearance complaint of Bryant Wiest, operator of the Hollywood, Elizabethville, Pa., against M-G-M, and naming the Theatorium Theatre, Luykens, Pa.

ABFD Not Affected By Ealing-UA Deal

LONDON, May 18.—Associated British Film Distributors will not be affected by the recently concluded deal between Associated Talking Pictures and United Artists for release by U.A. of product from the ATP Ealing Studio, according to Ben Henry, general manager of ABFD. The latter company is affiliated with ATP.

ABFD will continue to function as before, according to Henry, and has currently all past product in addition to three films awaiting trade showings, and British and American films to be acquired in the open market.

Henry continues as general manager and also will manage the new producing company formed recently by George Formby, comedian, known as Hillcrest Productions. It is expected here that United Artists on Tuesday formally will announce the world distribution of all forthcoming Ealing product.

Gillmore, Dullzell Reelected by 4-A

Frank Gillmore was reelected president of the Associated Actors and Artistes of America, parent organization of all talent guilds and unions, at the annual meeting held Friday.

Paul Dullzell, executive secretary of Actors' Equity, was reelected executive secretary of the 4-A. Both Gillmore and Dullzell had previously sent in their declinations and had asked that they be relieved of their offices.

All other 4-A officers were reelected. They are: Jean Greenfield, Hebrew Actors executive secretary, first vice-president; Kenneth Thomson, Screen Actors Guild executive secretary, second vice-president; and Ruth Richmond, Chorus Equity executive secretary, treasurer. All terms are for two years.

The meeting approved the report of the elections of the American Guild of Variety Artists' executive board.

It was disclosed by Equity that it is undertaking a one-year survey of employment conditions starting June 1 at the request of the unemployment committee headed by John Lorenz.

Weigh Continuance Of Plays on Sunday

Committees representing Actors Equity and the League of New York Theatres will meet today to discuss the advisability of continuing Sunday play performances on Broadway. The Equity committee, of which Alfred Harding has been named chairman, has received statistics on the situation from James Reilly, the League's executive secretary.

In granting permission for Sunday shows last November, Equity stipulated that its permission was to expire June 1 and that the matter would be studied then in the light of the experience in the experimental period.

Although many Equity members are reported to be dissatisfied with the lack of promotion effort by the managers in advertising and publicizing Sunday shows, particularly to suburbanites, the general sentiment among members is said to be that Sunday performances have increased the weekly grosses and that permission should be continued.

Tin Tickets

Exira, Ia., May 18.

DON BLOXHAM, operator of the Palace here, drew more than 10,000 old tin cans on a recent Tin Can Day when children were admitted free by bringing tin cans. Prizes were given to those with the greatest number. The first prize winner, a girl, had over 250 feet of cans on a string and received a month's pass to the theatre. Trucks hauled the cans to the city dump after the show.

Shuberts Forestall Strike of Managers

J. J. Shubert has agreed to demands of the Theatrical Managers and Agents Union, forestalling a threatened strike of company and house managers and press agents which have tied up attractions playing in Shubert houses here and on the road. Lawyers for both sides will confer tomorrow on a basic agreement. Shubert objects to the union's claim to jurisdiction outside New York, the union replying it does not have to arbitrate jurisdiction.

Exhibitor Veteran Dies

CINCINNATI, May 18.—Thaddeus A. Nolan, 56, research engineer, who opened one of the first film theatres here, and invented a projection device, died suddenly at his home from a heart attack. His wife and two daughters survive.

F P Canadian Takes Over Hanson Group, Consolidating Setup

(Continued from page 1)

the managers of the 25 Hanson houses to a meeting at the King Edward Hotel here Friday and informed them of the new operating plans. R. W. Bolstad, FPC vice-president, and Morris Stein, operations supervisor, attended the meeting.

The resignations of three Hanson Theatres officials were received prior to the meeting. These were H. T. Long, general manager; H. C. D. Main, chief supervisor, and James Kadurka, assistant supervisor.

When asked if FPC planned to close any former Hanson houses to reduce opposition in Ontario towns, an FPC spokesman intimated all would remain open. Observers in the trade regarded this as a measure to prevent possible new opposition from the Odeon Circuit, of which Paul Nathanson, son of N. L. Nathanson, is president.

The Allen Circuit of 40 theatres, banded under the Premier Operating Corp., announced through Raymond Allen, general manager, that it would not be affected by the FPC reorganization. This circuit operated under a measure of cooperation with FPC under the Nathanson regime.

It is understood also that the Bloom & Fine circuit of 15 houses in Toronto, a recognized subsidiary of FPC, will remain intact.

ANGELS WITH BROKEN WINGS
BINNIE BARNES
She's no angel....
She's a witch with an itching palm.
BINNIE BARNES • GILBERT ROLAND
MARY LEE
BILLY GILBERT • JANE FRAZEE • EDWARD NORRIS
KATHARINE ALEXANDER • LEO GORCEY • LOIS RANSON • LENI LYNN • MARILYN HARE
BERNARD VORHAUS, Director • Screen play by George Carlton Brown and Bradford Ropes • Original story by George Carlton Brown
A REPUBLIC PICTURE

Trade Faced 1,200 Bills In 43 States

(*Continued from page* 1)

acted, according to advices from state capitals.

Twenty-seven legislatures have adjourned, and 10 more are expected to adjourn between now and June 1. These are: California, Michigan, Missouri, Nebraska, New Hampshire, Ohio, Oklahoma, South Carolina, Texas and Wisconsin. The Connecticut, Florida, Illinois, Massachusetts, New Jersey and Pennsylvania legislatures will not adjourn until after June 1.

Most in California

California had the greatest number of bills affecting the industry of any state. A total of 259 were filed there this year.

In years prior to 1940, the total of measures affecting the industry was about 550 in an average of 30 to 40 legislatures which met simultaneously. Last year the number jumped to approximately 750 bills in 39 convening legislatures. Only five state legislatures did not meet this year. They are: Albama, Kentucky, Louisiana, Mississippi and Virginia.

State capital reports were that despite the unusually high number of bills affecting the industry this year, lawyers representing the industry appeared only in connection with the anti-consent decree bills, and that no recognized professional representatives appeared for the industry in any state capital. The bulk of the unfavorable measures were opposed, and the favorable ones championed, either by local members or by voluntary local action of those famiilar with the industry and its problems.

Local Contacts Helped

The latter are given the major credit for the industry's favorable experience as its most voluminous legislative season draws to a close. The local contacts of the industry have been developed over the years through the cooperation of local industry elements throughout the country with other business and civic factors in individual communities, observers pointed out.

Universal Will Pay Bonus to Draftees

Universal has made provision for employes called to military service. Up to four weeks' salary will be paid to those who have been in the employ of the company for more than two years. Those on the payroll for less than one year will receive one week's salary, and those employed from one to two years will get two weeks' salary. The company will continue the trainees' group insurance.

Expect 200 at RKO Tourney Tomorrow

A total of 184 players, equivalent to 45 foursomes, thus far have signified their intention of participating in the annual RKO golf tournament at the Westchester Country Club, Rye, N. Y., tomorrow. It is expected approximately 200 will tee off by starting time.

Feature Reviews

"She Knew All the Answers"

(*Columbia*)

Hollywood, May 18

TIMED to a split second and fitted to all the levels of market demand, this Charles R. Rogers production is as funny as a barrel of monkeys, clean as a whistle and a comedy any exhibitor can present with pride. Co-starring Joan Bennett and Franchot Tone, both of whom improve upon their best past performances, it also offers John Hubbard and Eve Arden in secondary leads of equivalent effectiveness, with William Tracy, Pierre Watkin, Almira Sessions, Thurston Hall and Grady Sutton in telling support. Direction by Richard Wallace is all to the good on all counts.

Based upon a *Cosmopolitan Magazine* story and straight as a string in its narration, the picture proves that people of the class termed "smart" can be entertaining and amusing without resort to off-color dialogue, gags or situations. The film is sophicated without being vulgar, comic in the best sense and plausible in its entirety.

Miss Bennett and Hubbard portray a chorus girl and New York playboy whose elopement is halted by his guardian's threat to deprive him of his inheritance if he weds without his approval. Tone plays the gaurdian, a broker. Miss Bennett wangles employment as Tone's telephone girl under an assumed name, hoping to obtain from him a letter of recommendation which will constitute tacit approval of her and thus enable her to marry Hubbard, unwittingly committing blunders which profit the firm greatly and just as unwittingly falling in love with Tone while he's doing likewise. Complications, incidents and experiences occurring in course of the plot's development are out of the routine and immensely amusing.

Running time, 85 minutes. "G."* ROSCOE WILLIAMS

"Too Many Blondes"

(*Universal*)

Hollywood, May 18

CHIEF bid for attention made by this comedy with songs is the fact that it stars Rudy Vallee, affording marquee capital, in the role of a radio singer. Chief novelty in it is his singing of "The Man of the Flying Trapeze," which is handled in such manner that the pianist in the picture invites the audience to sing the refrain, words of which are flashed on the screen. The picture contains three other songs by Milton Rosen and Everett Carter, and these are the highlights of the production.

Opposite Vallee, as his bride jealous of his former friends, most of whom are blondes, is Helen Parrish in an immature performance. The third member of the principal trio is Jerome Cowan. Lon Chaney, Jr., Shemp Howard, Iris Adrian, Eddie Quillan, Irving Bacon, Jeanne Kelly, Paco Moreno, Gus Schilling, Dorothy Lee, Dinorah Rego and the dance team, Carmela and Jose Cansino, are seen in support.

The story, produced by Joseph G. Sanford and directed by Thornton Freeland, presents bride and groom, estranged by jealousy but sharing an apartment platonically while saving up money to finance a divorce, in a series of incidents, some amusing, leading up to their decision to remain married. Shemp Howard supplies some laughs in characteristic style. The film, in whole, is light and none too tight as to construction.

Running time, 60 minutes. "G."* ROSCOE WILLIAMS

"They Met in Argentina"

(*RKO*)

A LIGHT and inconsequential musical comedy, this has an Argentine locale and includes a few Spanish songs and dances which are zestful and entertaining.

The story, not too well constructed, makes the film sluggish in part, but the comedy team of Buddy Ebsen and Diosa Costello enliven events at times with amusing dance routines.

Maureen O'Hara and James Ellison share the lead, he as the representative of a Texas oil magnate, and she the daughter of a wealthy ranchero. Ellison's oil deals fall through, and in an effort to redeem himself he attempts to obtain the ranchero's champion race horse for his employer. He finally gets both horse and daughter.

Running time, 72 minutes. "G."

**"G" denotes general classification.*

DuMont Shows Loss

Allen B. DuMont Laboratories, Inc., over the weekend reported a net loss of $78,599 for 1940, compared with $95,105 in 1939.

Cocalis Office Moves

Cocalis Enterprises, Inc., on Wednesday will move its offices here from 276 West 43rd St. to 341 West 44th St.

Canadian Tax Will Go Into Effect Today

(*Continued from page* 1)

mons here by Finance Minister Ilsley, the high rate of the tax caught the film industry by surprise and stirred immediate protest. Ilsley, contending that the drastically high percentage of the levy is necessary in Canada's effort to finance its share of the war cost, refused to modify the terms of the assessment or grant any exemptions.

Theatre Closings Feared

The industry protested that the high tax might so seriously affect patronage as to cause the closing of some of the smaller theatres. Ilsley's original designation of the tax had failed to indicate its effective date, and some confusion existed in the Dominion. In some instances, small theatre owners began to collect the tax before it officially came into existence. It has not yet been determined whether such revenue must be refunded to the patrons, obviously a difficult procedure, or should be accepted by the Canadian Treasury Department.

Because of the desire of theatre owners to have special tax tickets printed, to make clear to patrons that the necessary increase in prices does not accrue to the theatre, they sought a delay in making the tax effective. Accordingly, they set the effective date as tomorrow.

Quebec Chief Objector

Chief objection to the new tax came from the exhibitors of the Province of Quebec, whose patrons, already paying a 15 per cent provincial admission tax, must now pay a total tax on theatre admissions of 35 per cent. The Provincial Treasurer has been requested either to modify or eliminate the provincial levy to lessen the burden on the industry in that province. The matter has been taken under consideration.

If the Quebec exhibitors fail to obtain relief, it is their expressed intention to press for repeal of the existing ban on the attendance of children under 16 at film theatres in the province. It is their belief that the increased attendance from that source will tend to compensate to some extent for the expected loss of patronage when the 35 per cent total tax become effective.

Met. Playhouses Loss Is $88,796

Metropolitan Playhouses, Inc., has reported net loss of $88,796 for the year ended Jan. 31, last. The loss compares with net profit of $29,976 for the year ended Jan. 31, 1940.

C.F.I. Votes Dividend

Consolidated Film Industries' board of directors has declared a dividend of 25 cents per share on the 400,000 outstanding shares of preferred stock, payable July 1 to stockholders of record on June 10.

Bryan Due from K. C.

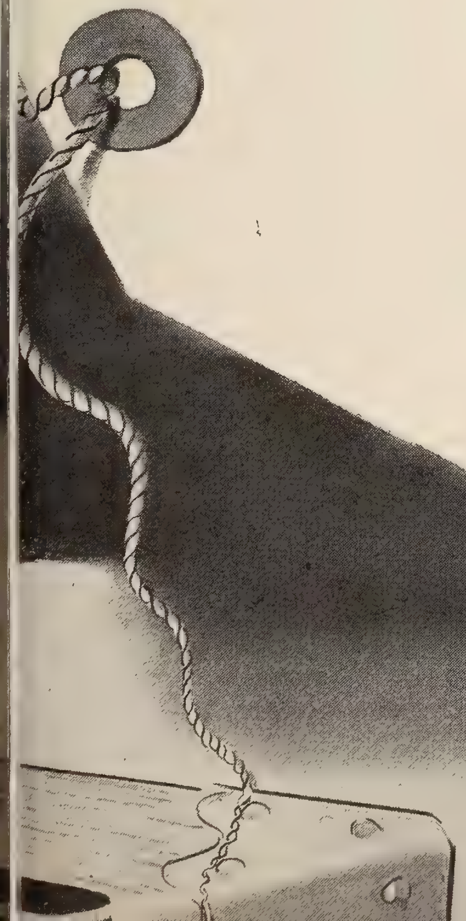
Charles J. Bryan, general manager of the Walter Reade Circuit, is due today from Kansas City, where he attended the funeral of his sister, Mayme Bryan.

START PACKING YOUR BAG FOR THE . . .

21st ANNUAL CONVENTION
of the

MOTION PICTURE THEATRE OWNERS OF AMERICA

at the
AMBASSADOR HOTEL
LOS ANGELES, CAL.
JUNE 9 to 12, 1941



The PACIFIC COAST CONFERENCE OF INDEPENDENT THEATRE OWNERS will act as hosts to the MPTOA Convention.

NBC Starts Propaganda To Europeans

NBC has departed from its policy of short waving straight news and has started a 16-hour schedule of propaganda programs to France, Spain and Portugal intended to convince the population of those countries of the folly of Axis collaboration.

The broadcasts, short-waved in the languages of those countries, were started at midnight Thursday on the new 24-hour short wave schedule and will be continued indefinitely from midnight to 4 P. M.

While it is understood the "emergency basis" was inaugurated at the request or suggestion of the State Department, the Department, when asked about it, would neither confirm nor deny it.

It was said that no official suggestion has been made for a radio propaganda service.

NBC's sudden decision to increase its short wave schedule to a full 24 hours, previously reported, followed the Vichy government's declaration of Axis collaboration on Thursday. That midnight, the new schedule began with President Roosevelt's statement to the French people over the head of the Vichy government.

While the Spanish and Portuguese periods are 15 minutes, those in French are for a half hour each, repeted on the hour during the entire schedule.

Fernand Auberjonois, chief French announcer for NBC, is repeating six questions demanding answers from Fernand de Brinon, Vichy ambassador to Germany, typical of which was whether de Brinon was a fifth columnist before the war. The questions will be repeated daily until some French reaction is received.

The rest of the broadcasts consist of news quotations favorable to America and its interests, with the Associated Press said to be the chief source.

The broadcasts are sent out with 100,000 watts on a directional beam to the country for which they are intended. The British Broadcasting System is picking up the programs and rebroadcasting them, making a strong signal reception virtually certain.

On the first night's operation, only one German attempt to "jam" the signal was reported by NBC.

WOR Will Assist Newark Blackout

WOR has been designated the official station by the Newark Defense Council to coordinate activities for Newark's 15-minute test blackout next Sunday. WOR will advise "air raid wardens" to sound the "alert" signal at 11:45 P.M., the "alarm" at 12:15 A.M., and the "all clear" at 12:30 A.M. In addition, the station will keep a running description of the test on the air from 11:30 P.M. to 12:45 A.M.

Off the Antenna

WITH the Summer coming in, ratings on the top programs are shifting rapidly. The latest C. E. Hooper reports show Bob Hope in first place; Walter Winchell, second; Edgar Bergen, third; Fibber McGee and Molly, fourth; Jack Benny, fifth, and the "Aldrich Family," sixth.

• • •

Purely Personal: *David B. Stein has been named Chicago representative for WHN, succeeding Harold Makelim who resigned to assume the presidency of Covert Co., a Chicago production firm. . . . Irene Dunne will be guest on "Your Happy Birthday" over NBC-Blue Friday. . . . Jay C. Flippen will be a guest contestant on "Double or Nothing" over Mutual Friday.*

• • •

The William S. Paley Amateur Radio Award for 1940 has been awarded to Marshall H. Ensor, an amateur from Olathe, Kan. Paley, CBS president, will make the formal presentation at a luncheon June 2. Ensor was chosen for conducting a course in radio fundamentals over his station W9BSP for over 10 years, thus aiding thousands to pass their examinations for amateur radio licenses.

• • •

Stan Shaw, conductor of the oldest all-night program, "Milkman's Matinee," on WNEW expects to receive his 250,000th request telegram this week and has made arrangements to fete the sender of the quarter-millionth telegram by treating him to a Broadway show and a round of the New York night clubs with a Broadway columnist as his escort. The 249,000 mark was passed recently. Shaw receives an average of 135 telegrams nightly. The program started in August, 1935, and has been on the air continuously since then.

• • •

WNYC and the New York Department of Parks will cooperate this summer in promoting sports tournaments in the public parks. The Department will arrange the tourneys while the municipal station will run a series of special programs to stimulate interest.

FCC Faces Congress Probe; NAB Seeks Fly Resignation

(*Continued from page 1*)

James L. Fly, President Roosevelt in Washington adopted a non-committal attitude and declared that he had no advance knowledge of what the FCC planned to include in its chain monopoly report and even yet had not read the new regulations.

Congressmen Getting Ready

At the Capitol, members of Congress who for years have been seeking a probe of the Commission were rolling up their sleeves, confident that their opportunity had arrived and prepared to make the most of it to bring out what they believe to be the true facts regarding the manner in which the FCC has administered its law.

President Roosevelt discussed the situation only briefly. He said he had not read or given approval to the FCC regulations prior to their publication, and knew nothing about them in advance, and indicated that the pressure of international affairs had pushed broadcasting into the background, for the time, at least, so far as he was concerned.

He refused to comment on the charges of Mark Ethridge that the Commission, by its regulations, had "deceived and betrayed" him.

As the situation stands, the burden of the attack must be borne by Chairman Fly and the four members who joined with him in the chain monopoly report. In the clear are only Commissioners T. A. M. Craven and Norman S. Case, who issued a sharply dissenting opinion in which they opposed the regulations planned by the majority.

Fly Replies to NAB

In reply to the NAB demand for his removal, Fly issued a statement. Without mentioning the NAB, he said:

"It is of no great concern to our democracy whether any one particular man or group of men shall occupy public office. It is of real concern to the nation, however, that official positions be held by men of sufficient strength of character to do their duty in the face of the strongest pressures which can be turned upon them."

NAB Directors Call Fly 'Punitive, Capricious'

ST. LOUIS, May 18.—The new board of directors of the NAB on Friday demanded the removal of Chairman James L. Fly from the FCC, charging that regulation under him had been "punitive, capricious, biased and destructive and his violent statement of yesterday was the strongest substantiation of the truth of what we have been saying."

The statement added: "We leave to the American public the judgment of whether the state of mind exhibited by Mr. Fly qualify him to be chairman of a Government commission calling for judicial impartiality."

The statement was in answer to Fly's blistering attack on the NAB.

The convention's general theme was radio's relation to the defense program, but this was sidetracked in the row with Fly and will be taken up later at an executive committee meeting.

Five new directors named to the board were James D. Shouse, WLW, Cincinnati; Joseph Maland, WHO, Des Moines; Don Elias, WWNC, Asheville, N. C.; James Woodruff, WRBL, Columbus, Ga., and C. W. Myers, KOIN, Portland, Ore.

Open Dubuque Station

DUBUQUE, IA., May 18.—Radio Station KDTH here has opened. operating on 1,370 kilocycles. The station is owned by the Debuque *Telegraph-Herald.*

Ascap Meets On June 2 to Revise Setup

Ascap's annual membership meeting, at which the organization's operations will be revised to conform with the Federal co[illegible]nt decree, will be held June 2, [illegible]n the decree will become effective.

The members will vote on by-laws drawn up to conform with decree requirements, the most important of which, insofar as the membership is concerned, is the election of Ascap directors by the members rather than by the board itself, as formerly.

New classification rules for the participation of Ascap writer members in dividends of the society also will be submitted to the meeting. If the new by-laws are approved, 12 of Ascap's 25 directors will be elected for the first time by membership vote. Terms of six directors will expire annually hereafter, three of writer members and three publisher members, so that within a year the membership will have elected 24 of the 25 members.

Directors whose terms have already expired are: Fred Ahlert, Irving Caesar, Raymond Hubbell, Jerome Kern, Edgar Leslie and George Meyer, writer members; and Jack Bergman, George Fischer, Walter Fischer, Jack Robbins, Gustav Schirmer and Will Von Tilzer, publisher members.

Ascap officials who returned from the NAB convention in St. Louis over the weekend stated that no further overtures would be made by the society to NBC and CBS on the proposed new licensing agreement.

They pointed out that the Ascap board has taken the position that the terms of the contract with Mutual represent the best that Ascap can offer, and that these have been thoroughly discussed and negotiated already with the two networks.

Ascap, therefore, is rejecting any suggestion to submit the proposed terms to arbitration and also, is taking the position that the next move in renewing discussions on the pact must come from the broadcasters. It was intimated in Ascap circles that if no voluntary action is forthcoming from the networks immediately, either of two things may force action. One is the intervention of the Department of Justice, the other the possibility that business defections, to Mutual's benefit, may occur and force action by NBC and CBS.

Gillette to Sponsor Series for 3d Time

Gillette Safety Razor Co. will sponsor the World Series over Mutual for the third successive year, it was announced over the weekend, following Mutual's exercise of its option to the rights. The price was not disclosed, although it is generally believed to be $100,000, the same as last year.

For the first time, the games will be broadcast in Spanish to Latin America and will also be short-waved around the world in English, as has been the custom. Last year, 285 stations carried the programs, Mutual said, and an equal number is expected this year.

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 98 NEW YORK, U. S. A., TUESDAY, MAY 20, 1941 TEN CENTS

Bioff Is Back As Hollywood Labor Leader

Will Represent Browne; Tax Trial Delayed

HOLLYWOOD, May 19.—Reentry of William Bioff as a labor leader in Hollywood was announced today when he obtained delay in his Federal Court trial on two charges of income tax evasion, as indications were that the Screen Writers Guild would favor a strike and the studio labor situation simmered on other fronts.

Bioff has been appointed by George E. Browne, president of the IATSE, as his personal representative and will act as liaison officer of the International to see that labor troubles do not halt filming of the Army training films.

When Bioff appeared before Federal Judge Paul McCormick seeking to have his trial date of June 24 set back, he exhibited a telegram from Browne giving him the position. When Assistant U. S. Attorney William Hall made no protest, Judge McCormick set the case on the Septem-

(*Continued on page 6*)

Defense Talk Lags —So Film Gets Rap

Washington, May 19. — When defense discussions lag, Congressmen, it seems, fill up their talking hours on the floor with views on current pictures. The motion picture business has become quite a talking point for many on Capitol Hill. Today it was Rep. Donald H. McLean's chance to comment and give his views of a current release. McLean is from Elizabeth, N. J. He also served in the 76th Congress.

Said he, about "Page Boys," a Columbia film: "It is misleading and would not educate anybody."

McLean's authority as a critic originates from his having served once as a Senate page.

He apparently was unaware that the new title of the picture is "Adventure in Washington."

'Barbara' Is Hit; 'Wings' Opens at Para. Tomorrow

"I Wanted Wings" will open at the Paramount Theatre tomorrow with Vaughn Monroe heading the stage show. Weekend grosses on Broadway showed the effects of lengthening Spring days and mild weather more conducive to outdoor activity than to theatre attendance. "Major Barbara" at the Astor is expected to gross about $15,500 for the first week, ending tonight, which is good.

The Paramount, with "Reaching for the Sun," and Alvino Rey on the stage, Saturday and Sunday of the second week brought an estimated gross of $14,000, with about $28,000 expected for the week ending tonight.

At the Music Hall, "The Devil and Miss Jones" and a stage show grossed an estimated $51,000 Thursday through Sunday. It will be succeeded on Thursday by "Penny Serenade."

"The Great American Broadcast" with a stage show at the Roxy, took an estimated $17,000 Thursday through Sunday of the third week. "Blood and Sand" will start at the house on Thursday.

RKO Tourney Today At Westchester Club

More than 200 RKO employes and guests are expected to tee off this morning at the Westchester Country Club in the sixth annual RKO golf tournament. About 250 are expected to attend the dinner at the club this evening.

In addition to foursome prizes there

(*Continued on page 6*)

Hoover, O'Connor Golden at MPTOA

J. Edgar Hoover, chief of the FBI, Federal Judge J. F. T. O'Connor of California, and Nate Golden of the U. S. Department of Commerce, have been added to the speakers for the MPTOA convention in Los Angeles, June 9 to 12.

Thurman Arnold, Assistant U. S. Attorney General, was invited to address the convention but was unable to accept because of previous engagements.

The convention also will hear Y. Frank Freeman, Walter Wanger, Leonard Goldenson, Edward Arnold and other prominent speakers.

Discuss Settlement Of Phila. Trust Suit

PHILADELPHIA, May 19.—Negotiations for a settlement of the anti-trust action of the Admiral Theatre here against Warner Theatres and major distributors, which seeks triple damages of $225,000, are under way here and in New York, it was learned today.

Trial of the case was scheduled to open in U. S. District Court here today but was postponed to Friday by agreement of counsel for both sides to permit further settlement discussions to be held. It is expected to be known before the next hearing whether a settlement agreement can be reached.

Exhibitors Are Disturbed by U. S. Film Shipping Charges

Exhibitors around the country are reported greatly disturbed by the fact that they are obliged to pay parcel post charges on the Government short films which they are showing as part of their contribution to national defense.

The charges which the exhibitors pay cover shipments from the exchanges to theatres and return. In some cases these may be heavier than the charges for regular film shipments.

While all exhibitors are represented as willing to do their share, at the same time they are said to feel that these out of pocket charges are an undue burden. Franking of these shipments would solve the problem, the theatre men feel.

FPC Field Meetings On New Operations

TORONTO, May 19.—A general meeting of all Ontario managers of Famous Players Canadian Corp. has been called by J. J. Fitzgibbons, president, for Wednesday. New operating plans and policies will be discussed and promotions in the organization announced at the meeting, which will be held here.

Following the meeting, Fitzgibbons and R. W. Bolstad, FPC vice-president, will leave for the West to hold similar regional meetings with FPC managers at Winnipeg and Vancouver.

Mead to Push Axis Film Ban In Washington

Senator Will Take Fight To State Dep't

U. S. Senator James Mead of New York, it is reported, plans to carry the exhibitor fight against the importation of Axis films to the U. S. State Department. Senator Mead is described by authorities as having indicated his desire to do this after first making a study of the situation.

Sen. Mead is also reported as having been impressed by the fact that the matter is to be taken up at the MPTOA convention, in Hollywood, next month, as was recently stated in a declaration by Max A. Cohen president of New York Allied, an MPTOA unit.

Mead is reported as believing that the continued importation and circulation of Axis films in this country not only is detrimental to the business interests of the American film industry but also dangerous to the country's defense aims.

Harry Brandt, president of the New York ITOA, also recently admonished the U. S. State Department for not banning Axis films and his organization resolved not to exhibit such pictures in any of its theatres.

Para. Awarded Minn. 'Some Run' Decision

MINNEAPOLIS, May 19.—Phillip J. McKay, arbitrator of the "some run" complaint brought by the Gayety Theatre, Minneapolis, has handed down a decision in favor of Paramount, the respondent, and assessed costs against David Gillman, the exhibitor. The decision held that the distributor had offered some run to the theatre.

The case was filed March 12 and the first hearing was held April 22. Gillman had brought a similar com-

(*Continued on page 6*)

In Today's Issue

Three reviews on Page 3: "Sunny," "Pirates on Horseback," "Under Age." Hollywood production news, Pages 3 and 7. Key city grosses, Page 7. FCC monopoly rules spell "death warrant." William Paley charges, Page 8.

Two Surprises

Birmingham, Ala., May 19

AS a publicity stunt, Roger Butler, Selma Theatre manager, ran a want ad for someone to wrestle an octopus. Next day a giant Negro appeared to wrestle the nonexistent adversary.

Desperately, Butler told the applicant he would try to find him an octopus, and received his second surprise when a young man from Mobile turned up with one. Butler plans to be more conservative in the future.

Technicolor Profit Seen Ahead of '40

Technicolor earnings for the first six months of this year will be "substantially ahead of the corresponding figures for last year," based on indications in the first four months, H. T. Kalmus, president, told the annual stockholders' meeting of Technicolor, Inc., yesterday. Kalmus was not present but a letter from him was read by George Lewis, vice-president and general counsel, who presided.

The total footage of prints for the first six months will be about 47,000,000 feet, an increase of 7,000,000 feet over the first half of 1940. Kalmus stated that the increase will more than offset any decrease in net profit which might have been expected because of the one cent a foot price reduction which was granted during the second half of 1940.

Kalmus added that, despite difficulties, the London plant of the company "offers good promise of eliminating the loss which was being sustained by Technicolor, Ltd., last year." Orders from the British armed forces together with an increase in prices aided the London office, he said.

Kalmus, Eversley Childs, L. G. Clark and J. L. Anderson were reelected directors for three-year terms. By-laws were amended to indemnify officers and directors who are compelled to defend law suits because of their corporate offices, except in the case of negligence or misconduct.

Bernhard at W.B. Cleveland Meeting

Joseph Bernhard, general manager of Warner Theatres, will address the managers and headquarters staff of the Cleveland zone today on the merchandising of product during the Summer months. Harry Goldberg, advertising manager of Warner Theatres, will accompany Bernhard.

ATLANTIC COAST SECTION
S. M. P. E.
Hotel Pennsylvania, New York City
Wednesday, May 21—8:30 P.M.
GUEST SPEAKERS:
LEONARD GOLDENSON
Paramount Pictures, Inc.
Subject: "The Engineer and the Box Office"
* * *
J. R. SWITZER
Conti-Glo Corp., Cleveland, Ohio . . . Subject: "Black Light Fluorescence for Theatre Decoration"
(Sensationally Revolutionary Development)
* * *
Motion Picture Industry Executives and Personnel are cordially invited to attend.

Personal Mention

A. H. BLANK, head of Tri-States Theatres, returned to Des Moines over the weekend from a New York visit.

•

ED KUYKENDALL leaves tomorrow for Washington from where he will return to his home in Columbus, Miss.

•

JACK BELLMAN, Republic's branch manager in Buffalo, is ill.

•

TED WYNN, new RKO exploitation representative for the Buffalo and Albany territory, has taken up his headquarters at the Buffalo exchange.

•

STANLEY ARNOLD, assistant out-of-town booker for Warner Theatres in Philadelphia, has left for Army service.

•

MRS. CHARLES BIERBAUER, wife of the manager of Wilmer & Vincent's Colonial Theatre, Allentown, Pa., is recuperating at Sacred Heart Hospital there from an appendicitis operation.

•

MORTON GOLDSTEIN, Columbia Philadelphia salesman, has been inducted in the Army.

•

JEAN POST, booker at the Des Moines Universal exchange, is recovering in a local hospital from an appendicitis operation.

EDWARD A. GOLDEN has returned from California and plans to stay here at least three monhts.

•

HERBERT ELISBURG, operator of the Studio Theatre, Chicago, is in Michael Reese Hospital recovering from an operation.

•

JACK COHEN, Washington district sales manager for National Screen Service, spent the weekend in New Haven.

•

EDWARD COHEN, 20th Century-Fox manager in Venezuela, is expected here next week from Caracas.

•

HAROLD BANKS, assistant manager of the Rowland, Pittsburgh, has assumed his rank as a reserve officer in the Army.

•

WILLIAM MALONEY of the Warner Theatres staff in Pittsburgh, and RICHARD CAPPE, chief of service at Loew's Penn there, have enlisted in the Army.

•

JOSEPH FORD, ad sales manager at the 20th Century-Fox office in Portland, Ore., and MARIE NEMIC were married last week.

•

ROBERT MUNZER, assistant at the College Theatre, New Haven, has entered a prize pickerel catch in a local contest.

Wisc. Houses Cut Prices for Summer

MILWAUKEE, Wis., May 19.—New Summer admission prices have been announced by Standard Theatres' Gateway and Kenosha in Kenosha and by Warners' Badger in Racine. The former two houses now have a 30-cent balcony admission after 6 P.M. Mondays through Fridays, except for stage shows. Previous admission was 40 cents after 6 P.M. for the entire theatre. The Badger has dropped its evening admissions from 25 cents plus tax to 22 cents plus tax and extended the early bird bracket on Sundays from 2 P.M. to 3 P.M.

DeVry's Sons Head Equipment Company

CHICAGO, May 19.—William C. DeVry has been elected president of the DeVry Corp., equipment company, succeeding his father, Herman DeVry, who died recently, and who was the founder of the company.

Another son, Edward B. DeVry, has been elected secretary and treasurer of DeVry Corp., and president of the educational subsidiary, DeForest Training, Inc.

Union Party in Phila.

PHILADELPHIA, May 19.—The fourth anniversary dinner-dance of the Film Exchange Employes Union, Local B-7, will be held Thursday at the Stephen Girard Hotel. The committee headed by William Z. Porter, union president, includes James A. Flynn, Ferdinand Fortunate, Mary Meadowcroft, Bud Bache, James Keating, Henrietta Weinberg, Rita McMonigle, Charles Smith, Tony Blase and Marie Hause.

Faversham, Colcord On Unreported Ship

Philip N. Faversham, 33-year-old son of the late actor, William Faversham, was among the British-American Ambulance Corps drivers who were passengers on the Egyptian ship, *Zamzam,* and whose fate is unknown. Also aboard was Ray Colcord, Jr. Faversham had appeared in "Due for Passion," "The Man Who Came to Dinner" and other plays, and Colcord appeared in several Group Theatre productions.

Chicago Union and Bookers Set Affairs

CHICAGO, May 19.—The first annual dance of the Film Exchange Employes Union, Local B45, will be held May 25 at the Skyline Athletic Club. The Chicago Film Bookers will hold their first annual dinner dance in the Panther Room of the Hotel Sherman on June 6.

Farnol on Goldwyn Films

Lynn Farnol has been engaged to handle publicity on the Samuel Goldwyn productions to be released by RKO. Farnol will work under S. Barret McCormick, RKO advertising and publicity director. He will leave for the Coast tomorrow for studio conferences.

Named W. B. Salesman

INDIANAPOLIS, May 19.—Ted Mendelssohn, formerly of Chicago, is new city salesman for Warners here, succeeding William Sherman, who became manager of the Omaha exchange.

Readers' Say-So

THEATRES NOT EXPECTED TO ABSORB FOREIGN LOSS

Editor, MOTION PICTURE DAILY:

Only a day or two ago my attention was called to an article appearing in the MOTION PICTURE DAILY, issue of April 29th, page four, wherein the undersigned is quoted as follows:

"He pointed out that higher production costs mean higher costs to the exhibitors, and said: 'It is up to the American public to offset the deficit caused by the closing of the foreign market. I have no new ideas on a possible increase in admission prices.'"

At no time, either in St. Louis or elsewhere, has the writer ever publicly or privately said that which is attributed to me in the article above mentioned. In fact, it is directly contrary to views that I expressed not only in St. Louis, but elsewhere, and in substance the remarks I made conveyed to those present that we did incur considerable expense in the production of our pictures and that I did not know to what extent, if any, the cost thereof could be reduced, but that no matter what their cost we *could not* reasonably expect our customers in America to absorb the deficit caused by the foreign market.

I did advocate, however, that it was up to us as distributors, and up to our customers who presented our attractions, to seek new avenues for revenue. Whether such avenues would take the form of increased admissions, or extended time, I was not prepared to say, but I did stress the point that at no time did we take the position that because of the foreign situation American exhibitors would be expected, so far as we are concerned, to absorb any deficit that may exist.

It is to be regretted that the article in question was not called to my attention earlier, which can only be accounted for by my frequent absences from the city, and I ask you to please correct the statement erroneously attributed to me.

Sincerely,
W. F. RODGERS,
General Sales Manager, M-G-M.

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Canadian Theatres Pass Tax to Public

OTTAWAY, May 19.—The new 20 per cent film theatre admission tax was passed on to Canadian patrons in its entirety. Today, as the tax started, local theatres advertised new admission prices to cover the new levy.

The Dominion Government estimates it will derive $8,000,000 of revenue from the tax.

Exhibitors had hoped for some reduction in the 20 per cent tax, but no intimation of any reduction has thus far been given by Finance Minister Ilsley. The House of Commons, now in the process of considering in detail the various budget proposals, has not yet reached the new film theatre tax.

It is possible, when the Commons debates this tax, some further effort may be made to bring about a reduction, or else, to remove alleged discrimination, some amusement tax may be levied upon other forms of entertainment.

The average scale of prices previous to the tax were as follows: matinees, adults, 25 cents; children, 10 and 15 cents; adults, loges, 35 cents; evenings, adults, 35 cents; children 15 cents, and adults, loges 50 cents.

The new scale is: matinees, adults, 30 cents; children, 12 and 18 cents; adults, loges, 42 cents; evening, adults, 42 cents; children, 18 cents, and adults loges, 60 cents.

The Allied Trades and Labor Association here will protest the tax, following representations from the local projectionists' union. The protest stressed the alleged unfairness of the tax, in that it does not include all forms of amusement, but only film theatres.

Legion Approves 6 Of Seven New Films

The National Legion of Decency has approved six of seven new films reviewed and classified for the current week, three for general patronage and three for adults, and classed one as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Emergency Landing," "Her First Beau," "The Nurse's Secret." Class A-2, Unobjectionable for Adults—"I'll Wait for You," "Shining Hour," "Victory," "Singapore Woman." Class B, Objectionable in Part—"One Night in Lisbon."

Mich. Admission Tax Reported Favorably

LANSING, Mich., May 19.—A 10 per cent amusement tax—the first additional tax levy favorably reported this session—has been recommended by the House General Taxation Committee.

It is estimated that such a tax would bring $2,000,000 annually. It would apply to films and legitimate theatres, football games, baseball, night clubs, dances and similar attractions.

RKO Exploitation Shifts

M D. Howe, formerly at the Walt Disney office, has been transferred to the RKO exploitation field staff. Harry Reiners has been transferred from Boston to the RKO home office exploitation staff.

Feature Reviews

"Sunny"

(RKO)

Hollywood, May 19

THE Herbert Wilcox picturization of the "Sunny" that made Broadway history is everything that the customer holding the original in fondest memory has a right to expect it to be and everything a total stranger to the stage version demands in the way of musical comedy. It is a smooth, lively and tuneful film retaining the Jerome Kern music and all the best elements of the stage production, transposed to the screen with all the benefits of the more flexible and potent medium.

Anna Neagle in the title role dances, sings and acts with a charm and versatility suggesting that her previous endeavors in kind were but training exercises. John Carroll as the young man opposite confirms in abundance the evidence of his previous performances with respect to acting and singing ability. Ray Bolger, given here the dancing opportunities so long denied him in pictures, runs away with the picture on a number of extensive occasions. Helen Westley adds a character portrayal that is something for the books and Edward Everett Horton is brilliant in a typical assignment.

Opening in New Orleans at Mardi Gras time, the film is off to a rousing start, musically, and it is never long between numbers from there to the close. The story, essentially simple and pertaining to the objections of the hero's family to his marrying an actress, is neither kidded, neglected nor taken too seriously at any point. "Who," the song-hit of the original, is used as theme number and treated in all varieties of orchestration, arrangement and delivery, all of them on the profit side.

Clean, fast, light, good-humored as to manner and filmed in excellent taste, "Sunny" is a film for any theatre anywhere any time.

Running time, 98 minutes. "G."* ROSCOE WILLIAMS

"Pirates on Horseback"

(Paramount-Sherman)

Hollywood, May 19

THERE must be a ceiling for Harry Sherman's "Hopalong Cassidy" series, starring William Boyd, since there's supposed to be a ceiling for everything, but this 35th feature in the sequence gives no suggestion of it. This is as much better than the 34th as that one was better than the 33rd, or more so, and displays no hint of strain to indicate that the Sherman proficiency may not continue to thrive and expand at like pace indefinitely.

This number starts off like a pack of firecrackers, with bandits pursuing and shooting to death a prospector whose reported finding of a rich gold claim, and proceeds with nary a letdown, save for a spot of wooing by Russell Hayden and some splashes of comedy by Andy Clyde, to a finish in which Boyd wipes up the barroom floor with Morris Ankrum, the urbane crook-in-chief whose minions have sought to cheat Eleanor Stewart of her inheritance. In between are incidents out of the routine and, holding them taut, a suspense factor which even the press people at the studio preview didn't know the answer to until told by the film. William Haade, Dennis Moore, Henry Hall and Britt Wood are others in the cast.

Directed by Lesley Selander and filmed at the foot of Mount Whitney against backgrounds seldom matched for massive grandeur, the film is a smooth and rippling job of story-telling appropriate for exhibition in any man's theatre at any time or place.

Running time, 69 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

"Under Age"

(Columbia)

THIS concerns destitute girls who become involved with roadhouse racketeers, The subject, while not suitable for child audiences, has been so treated as to make it of interest to adult members of the action trade.

Care in filming and acting is apparent and compensate for the story, which is a little shy in plausibility and not always consistent. It should, however, prove capable of holding its own in the smaller spots.

Nan Grey has the top role as a vagrant, who with her younger sister, Mary Anderson, becomes a "shill" for a chain of hotels operated by a woman. Their function is luring travelers, but after a spell Miss Anderson learns too much about the business and is murdered by the manager, Alan Baxter. Miss Grey and her colleagues revolt and expose the whole system.

Running time, 60 minutes. "A."*

"A" denotes adult classification.

48 Features Now in Work; Col. Has Nine

HOLLYWOOD, May 19.—Forty-eight pictures, two more than last week's total, were before the cameras this week, as 13 were finished and 15 were started. Columbia is the busiest studio, with nine pictures going. A total of 12 are being prepared, and 87 are in the cutting rooms.

The tally by studios:

Columbia

Finished: "The Medico of Painted Springs."

In Work: "Our Wife," "Mr. Jordan Comes to Town," "Tillie the Toiler," "The Devil to Pay," "Tonight Belongs to Us," "Texas.'

Started: "Girls from Panama," "Mystery Ship," "Ladies in Retirement."

Goldwyn

In Work: "The Little Foxes."

Korda (U. A.)

In Work: "Illusions."

M-G-M

In Work: "Barnacle Bill," "The Yearling," "Smilin' Through," "Life Begins With Andy Hardy."

Monogram

In Work: "Wanderers of the West."

Started: "Murder by Appointment."

Producers Releasing

Finished: "Criminals Within."

Started: "Motorcycle Squad," "Desperate Cargo."

Paramount

Finished: "Aloma of the South Seas," "Henry Aldrich for President," "Secret of the Wastelands."

In Work: "Nothing But the Truth," "Birth of the Blues," "Among the Living."

Started: "Sullivan's Travels," "The Sheik of Buffalo Butte."

RKO

In Work: "The Gay Falcon," "Outlaw Trail," "Father Takes a Wife," "The Devil and Daniel Webster."

Started: "Look Who's Talking."

Republic

Finished: "Kansas Cyclone."

In Work: "Puddin' Head."

Started: "Hurricane Smith."

20th Century-Fox

Finished: "Dance Hall," "Last of the Duanes."

In Work: "Belle Starr," "Dressed to Kill," "A Yank in the R.A.F.," "Private Nurse," "Charlie Chan in Rio."

Started: "Charley's Aunt," "Wild Geese Calling."

Universal

Finished: "Moonlight in Hawaii."

In Work: "Radio Revels of 1942," "I, James Lewis."

Started: "Flying Cadets," "Man from Montana."

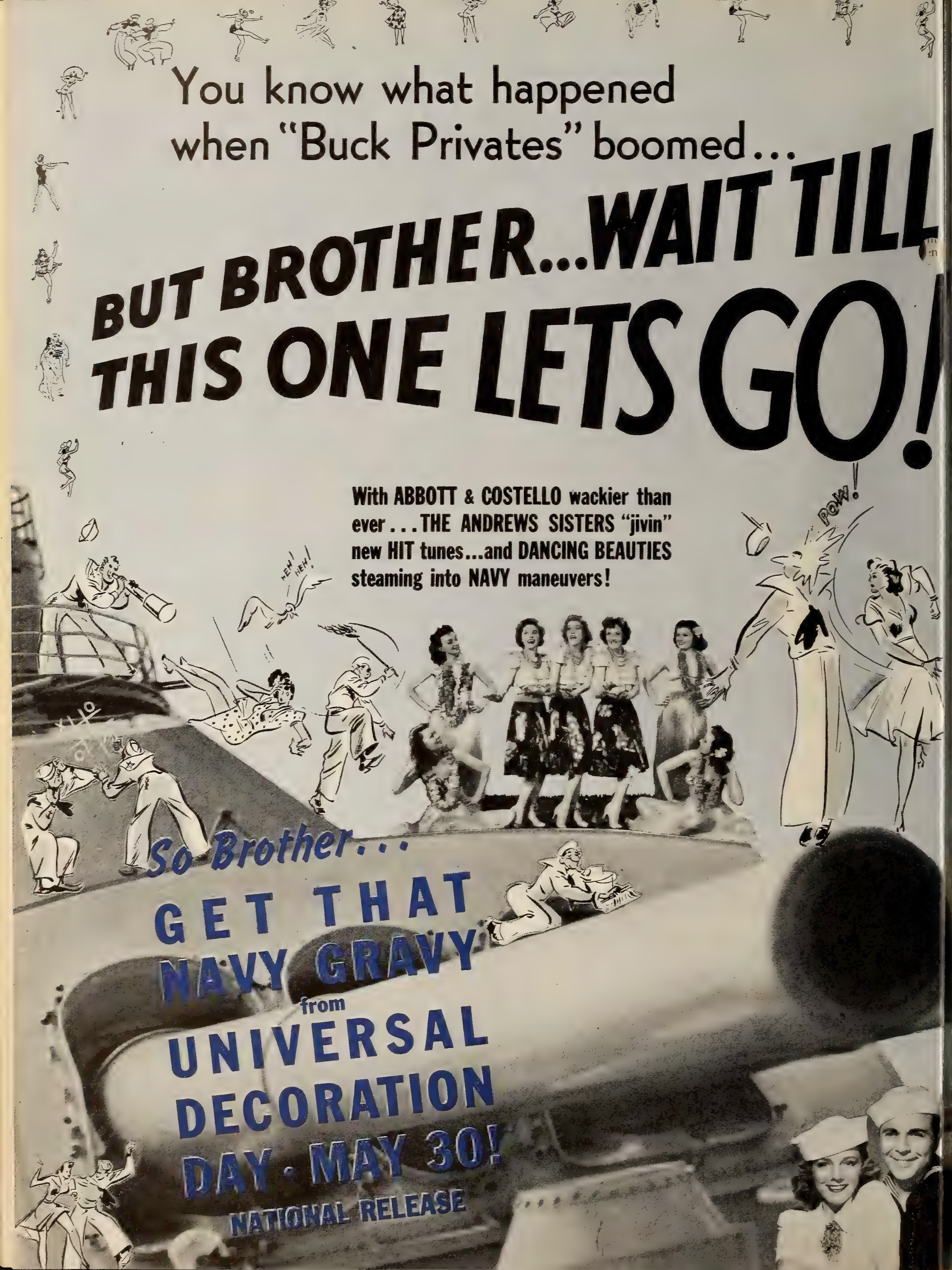
Warners

Finished: "Bullets for O'Hara."

In Work: "Dive Bomber," "Manpower," "Navy Blues."

Date 'Fantasia' in Seattle

SEATTLE, May 19.—"Fantasia" will open its first Pacific Northwest engagement in this city May 29, at Hamrick-Evergreen's Blue Mouse.



You know what happened when "Buck Privates" boomed...

BUT BROTHER...WAIT TILL THIS ONE LETS GO!

With ABBOTT & COSTELLO wackier than ever . . . THE ANDREWS SISTERS "jivin" new HIT tunes...and DANCING BEAUTIES steaming into NAVY maneuvers!

So Brother . . .

GET THAT NAVY GRAVY

from

UNIVERSAL

DECORATION DAY · MAY 30!

NATIONAL RELEASE

PLAIN SHOW TALK

by NATE BLUMBERG, President UNIVERSAL PICTURES

PICTURES that take you out of the RED and deposit you into the FAT BLACK do not come along every day—and we all know it. When they do come you have to make the most of them. Every exhibitor in the United States is familiar with the wildfire hit made by Abbott and Costello in "Buck Privates". Every exhibitor who played it made money. Now Universal presents Abbott and Costello in a picture that will outdo even the phenomenal business of "Buck Privates". BUT, Universal hopes you are SET for it; SET to play it for extended time; SET to HOLD it so you can CASH IN on it! PREPARE for this baby right NOW. You don't have to screen it. You don't have to worry about it. You just have to COLLECT on it PROPERLY! If ever a picture in this business comes SOLID, this is IT!

IT'S set—if YOU'RE set!

Bud ABBOTT & Lou COSTELLO
DICK POWELL

IN THE NAVY

with **THE ANDREWS SISTERS** • **Claire Dodd** • **Dick Foran**
Butch & Buddy • **Shemp Howard** • **Sunnie O'Dea** • **Condos Bros.**
Directed by ARTHUR LUBIN • **Associate Producer ALEX GOTTLIEB**
Screenplay by Arthur T. Horman and John Grant
Original Story by Arthur T. Horman

Bioff Is Back As Hollywood Labor Leader

(Continued from page 1)

ber calendar. Hall said the Government wanted time to prepare the case.

Meanwhile, indicating that the Screen Writers' Guild members tonight would vote for a strike as a weapon to force the producers to sign a new bargaining contract, the Guild's board of directors invited representatives of all major guilds and unions now negotiating with the producers to meet with it tomorrow night "for a discussion of common problems, exchange of industry information and unified methods to be used in collective bargaining," the SWG announced.

Schlesinger, Union to Meet

On another front, representatives of the Screen Cartoonists Local 852 and of Leon Schlesinger will meet at 2 P.M. tomorrow to negotiate further on matters which led to the walkout of Schlesinger workers this morning.

The Federation of Screen Cartoonists, intramural organization of Walt Disney employes and cited by the opposition Screen Cartoonists local as a "company union," was dissolved over the weekend and a new organization, the American Society of Screen Cartoonists, was formed with virtually the same leadership.

Disbanding Officially

The Federation is disbanding officially, the N.L.R.B. was told today when a conference was held by Trial Examiner James C. Paradise to determine the procedure for opening hearings on company union charges.

Further sessions are scheduled later in the week to determine whether the hearing should be carried on, despite disappearance of the respondent. Screen Cartoonists' executives described the move as a "doge" to evade and circumvent the AFL organization plan and charged that the group was "the same thing as the Federation but under another name."

Unions Pledge Aid If Writers Strike

HOLLYWOOD, May 19.—Ten guilds and unions have wired the Screen Writers Guild offers of aid, should the writers call a strike to force a new contract with producers, SWG officers announced today, prior to tonight's meeting at which strike sentiment was sounded out.

Promising cooperation were: the painters' local, Screen Actors Guild, Screen Directors Guild, Screen Cartoonists Guild, Screen Publicists Guild, Set Designers Union, Screen Readers Guild, Laboratory Technicians Local, Screen Office Employes Guild and the local musicians' union.

Union Is Picketing Schlesinger Plant

HOLLYWOOD, May 19.—Two hundred union members, including about 180 Leon Schlesinger cartoon workers, picketed the Schlesinger plant today in the first strike to hit a Hollywood cartoon studio.

Schlesinger employes had set today as the deadline for the granting of demands, but Schlesinger closed the plant before they reported for work. Officers of the Screen Cartoonists Local 852 said the producer had granted all demands except that on the term of the pact. The producer wanted a three-year term, and the union insisted on one year.

The studio had finished 30 of its 42 shorts for Warners on the present season's program. Schlesinger declared today he hopes for an early settlement of the controversy and an early reopening of the plant.

Critics' Quotes . . .

"THE FLAME OF NEW ORLEANS" (Universal)

Moderately gay, very picturesque and always lively. Rene Clair, the French director, illustrates what a good technician, with a good cast, can do to put pep into a not especially inspired piece of playwrighting.—*Baltimore Evening Sun.*

The Clair hand is visible now and then in some clever bits of pantomine, some flashes of wit—but script, actors, Hollywood, or something slowed down the Frenchman.—*Norman Clark, Baltimore News Post.*

A lighthearted feather-weight film with a plot that should take anyone's mind off his troubles . . . just a farce lucky enough to have Miss Dietrich's beauty as its mainstay.—*Eileen Creelman, New York Sun.*

Only a Rene Clair could have fashioned bits of "Flame of New Orleans," but the picture as a whole is no distinction to the finest of French directors. —*Howard Barnes, New York Herald Tribune.*

Very pictorial and interesting for that reason.—*Edwin Schallert, Los Angeles Times.*

"A GIRL, A GUY AND A GOB" (Harold Lloyd-RKO)

A dizzy riot of wacky fun. Directed with freshness and skill by Richard Wallace and played to perfection by a cast that includes George Murphy, Lucille Ball and Edmond O'Brien, it will roll you out of your seats with laughs.—*William Boehnel, New York World Telegram.*

Wallace has given the comedy a good, fast pace, but there are too few of the old Lloyd thrills in the film and more than enough of the sort of screwy stuff that was good for laughs when it was introduced in "Three Cornered Moon" and "You Can't Take It With You" but which has been overworked on the screen since then.—*Wanda Hale, New York News.*

A rib-ticklish little comedy. . . . It is Mr. Lloyd's first production in which he has not appeared and it will do very well.—*New York Times.*

A breezy affair carrying a good load of gags and slapstick.—*Archer Winston, New York Post.*

"SIS HOPKINS" (Republic)

The result is a script full of corn and cliches, slapstick humor and pleasant tunes that will appeal chiefly to the admirers of Miss Canova's special talents. —*Newsweek.*

Ingratiatingly done and should be a harvest for family audiences and young people.—*Lee Mortimer, New York Mirror.*

Although some of the patrons found the antics of Judy Canova diverting in the second picture made by Republic with the hillbilly comedian as the star, I imagine that "Sis Hopkins" will go better out of town than in the big cities where Judy's broad type of humor will find more enthusiastic audiences.—*Kate Cameron, New York News.*

This one should reach maturity in the hinterland about midsummer, but right now, here in the city, it looks exceedingly green.—*Bosley Crowther, New York Times.*

Far from being a beguiling screen musical. When it is funny it is a triumph of expert performing over a sorry script and slipshod direction.—*Howard Barnes, New York Herald Tribune.*

Para. Awarded Minn. 'Some Run' Decision

(Continued from page 1)

plaint against Warners but it was settled before hearing and the case was withdrawn.

Meanwhile, the first complaint filed in San Francisco was received by the local board there yesterday. Filing of the complaint leaves only five boards without any cases of record. They are the Atlanta, De Moines, Indianapolis, Kansas City and Omaha boards.

San Francisco's first complaint was brought by William Synfy, owner of the Rita at Vallejo, Calif. The complaint names Paramount, RKO and Warners, and asks for a reduction of the clearance held by the Senator, Strand and Marvel, all in Vallejo, over the Rita.

Fox Star Witness in Judge Davis' Trial

PHILADELPHIA, May 19.—William Fox, bankrupt former film executive, will be the Government's star witness, it was announced immediately upon opening this morning of the trial of retired U. S. Circuit Judge J. Warren Davis.

The jurist is charged with conspiracy to obstruct justice and defraud the U. S., a charge arising out of litigation over Fox's financial affairs. Fox, who pleaded guilty to the same charges, was not in court when the trial opened in U. S. District Court here before Judge Robert N. Pollard.

Davis was rearraigned and pleaded not guilty once more after two unsuccessful defense attempts to have the case thrown out of court. The announcement that Fox would be called to testify to the conspiracy was made when defense lawyers objected that they had not been informed Fox would be called.

A jury is in the process of selection and the trial is expected to continue at least three weeks.

William A. Gray, criminal lawyer here, represents Davis. Walker H. Gahagan, Jr., Special Assistant to the U. S. Attorney General, heads the Government's legal array, assisted by Amedeo Lauritano, Assistant U. S. Attorney of New York, local U. S. Attorney Gerald A. Gleeson and his assistant, Francis W. Sullivan.

Private Preview

San Francisco, May 19

POLICE are seeking the person who wanted to be a projectionist — the hard way! Someone broke into Universal's exchange, took a picture to the screening room, and began a one-man preview. The film caught fire, the culprit disappeared, and the fire department was called to extinguish the blaze in the projection room. The print was destroyed and two projectors damaged.

RKO Tourney Today At Westchester Club

(Continued from page 1)

will be 18 special prizes. All players will be included in foursomes.

Among those expected to participate in the tournament or attend the dinner in the evening are: Ned E. Depinet, N. Peter Rathvon, R. C. Patterson, Jr., A. W. Smith, Jr., Gerrard Schaefer, Walter Peterson, Garrett Van Wagner, Leon Goldberg, Malcolm Kingsberg, Charles Koerner, J. H. Walters, M. H. Aylesworth, Roy Disney, L. E. Thompson, Harry Brandt, Gordon E. Youngman, Sam Shain.

W. B. England, Jerry Brandt, Walter Derham, Harry Mandel. Charles MacDonald, Bob Wolff, Harry Michaelson, Bob Mochrie, Cresson E. Smith, Bert Reisman, Gus Eyssell, Jack Alicoate, Joe Vogel, Herbert Yates, George Gardin.

Abe Montague, Tom Connors, Leon Netter, William Rodgers, William Scully, Murray Silverstone, George Skouras, Spyros Skouras, Colvin Brown, Grad Sears, Neil Agnew, Max A. Cohen, Sam Dembow, Si Fabian, Edward A. Golden, Leonard Goldenson, Rutgers Neilson and Charles Casanave.

Museum to Exhibit War Art of Britain

The Museum of Modern Art on Friday will open an exhibition, known as "Britain at War," which will include films, as well as posters, drawings, cartoons and paintings. The Museum has announced that none of the material has been lost in shipment to this country from England. The exhibit will be opened by Ambassador Halifax at a members' preview Thursday evening, with an American-English two-way broadcast over CBS scheduled.

The Museum's competition for national defense posters has been opened and will continue until June 28.

Fox Has Revivals At Wisc. Theatres

MILWAUKEE, May 19. — Fox has been staging Saturday midnight revival shows at various spots around the state. The policy is being conducted at the circuit's Beverly in Janesville; Orpheum, Green Bay; Fox, Marinette; Odeon, Beaver Dam; Brin, Menasha and Fox, Stevens Point.

It includes the showing of three films at one admission price. A sample schedule of a request night program is the following from the Fox at Stevens Point: "March of Time," "Cherokee Strip," newsreel, "Great Lie," "Cat and Canary."

'Barbara' Is Los Angeles Hit at $6,000

Los Angeles, May 19. — "Major Barbara" drew $6,000 at the 4 Star in a week of generally slow business. "Model Wife" at the Paramount, with Carmen Miranda on the stage, accounted for $19,500.

Estimated receipts for the week ending May 14:

"That Uncertain Feeling" (U.A.)
"Ride On, Vaquero" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $7,200. (Average, $12,000)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 15th week. Gross: $6,800. (Average, $17,000)
"Major Barbara" (U.A.)
4 STAR—(900) (44c-55c) 7 days. Gross: $6,000. (Average, $3,250)
"Citizen Kane" (RKO)
HILLSTREET—(2,700) (75c-$1.65) 6 days. Gross: $7,500. (Average, $6,500)
"That Uncertain Feeling" (U.A.)
"Ride On, Vaquero" (20th-Fox)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $8,400. (Average, $14,000)
"Penny Serenade" (Col.)
"Little Men" (RKO)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. "Serenade," 3rd week. Gross: $6,500. (Average, $7,000)
"Model Wife" (Univ.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Carmen Miranda. Gross: $19,500. (Average, $18,000)
"Wagons Roll At Night" (W.B.)
"Sis Hopkins" (Rep.)
WARNER'S HOLLYWOOD — (3,000) (33c-44c-55c-75c) 7 days. Gross: $12,700. (Average, $14,000)
"Wagons Roll At Night" (W.B.)
"Sis Hopkins" (Rep.)
WARNER'S DOWNTOWN—(3,400) (33c-44c-55c-75c) 7 days. Gross: $12,000. (Average, $12,000)
"Citizen Kane" (RKO)
EL CAPITAN—(1,600) (75c-$1.65) 7 days, including premiere. Gross. $18,000.

'Ziegfeld' at $3,800 In New Haven Slump

New Haven, May 19.—The second week of "Ziegfeld Girl" and "The Cowboy and the Blonde" at the College was the only over-average gross in town, drawing $3,800. "That Hamilton Woman," dualed with "The Penalty" at the Loew-Poli, grossed $8,000.

Estimated receipts for the week ending May 16:

"Ziegfeld Girl" (M-G-M)
"The Cowboy and the Blonde" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $3,800. (Average, $2,700)
"That Hamilton Woman" (U. A.)
"The Penalty" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,000. (Average, $8,000)
"The Man Who Lost Himself" (Univ.)
"Scattergood Baines" (RKO)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $3,000. (Average, $4,500)
"Meet John Doe" (W. B.)
"Strange Alibi" (W. B.)
ROGER SHERMAN—(2,000) (39c-50c) 7 days, 2nd week. Gross. $3,200. (Average, $5,000)

'Girl' Accounts for Big $8,400 in Omaha

Omaha, May 19.—"Ziegfeld Girl" pulled $8,400 at the Omaha. The weather was clear and extra warm.

Estimated receipts for the week ending May 14-15:

"The Wagons Roll at Night" (W. B.)
"They Met in Argentina" (RKO)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,100. (Average, $4,000)
"Ziegfeld Girl" (M-G-M)
"Land of Liberty" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $8,400. (Average, $6,000)
"The Great Lie" (W. B.)
"Sleepers West" (20th-Fox)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $8,300. (Average, $7,200)

New Football Short Series Will Be Offered This Fall

Hollywood, May 19

A NEW type of short subject will be offered exhibitors next Fall, under the plans of Football News Reel, company organized by Norman Sper, nationally known football expert; Alton A. Brody, and Charles Pidgeon, who have headquarters here.

Sper, whose football prognostications have appeared in magazines, will predict the outcome of games held each week, in a reel giving pictorial descriptions of the plays of the favored team. The reels will be issued one a week for 13 weeks during the gridiron season, each carrying Sper's predictions for games the following Saturday.

Contracts have been made with the De Luxe Laboratory and the Pathe laboratory here to make prints, with the new company handling distribution direct from laboratory to theatre. Sper has just returned from visiting 41 colleges where he exposed extensive film footage.

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Other short subject news this week is M-G-M's announcement that it will start an extended two series cartoon program, based on the success of four new cartoon characters. The characters are Tom Cat, and Jerry Mouse, and Mr. Bear and Mr. Burro. The Bear-Burro series will be built around the animals' life in the Army.

• •

"Puss Gets the Boot," recent cartoon, is responsible for the Tom Cat-Jerry Mouse continuation. Titles of the cartoons planned for this group are "Midnight Snack," for release this month, "Comrade Nix," "Fraidy Cat," and "The Girl Friend." Rudolf Ising is producer of the Bear series and William Hanna and Joe Barbera are handling the other.

• •

Paramount has set important assignments. Dorothy Lamour steps from the tropics to the Arctic to star in "Angel in Furs," by W. B. Courtney. After William Holden was first announced for the role, Ray Milland was given the top spot in "Channel Port," spy story of present day England. Jean Parker and Richard Arlen, of "Power Dive," were reteamed in William Pine-William Thomas' "Flying Blind," which Paramount will release. Fred MacMurray gets the male stellar role in "Mr. and Mrs. Cugat," from the Isabel Scott Rorick novel.

• •

Paramount has signed Alberto Vila, screen-stage star of Latin America, to a term contract. RKO has the star for one picture a year, however. His first Paramount role might be in "Hula Honeymoon," by Martin Gosch and Howard Harris, New York radio writers. Bob Hope will star in the film. B. G. De Sylva has writers working on the script of an elaborate musical with a South American background and in which Vila may be starred.

• •

Miss Lamour has been pencilled in for a top spot in "The Fleet's In," in which Eddie Bracken will be featured. C. B. DeMille has Spring Byington, Elisabeth Risdon and Janet Beecher for "Reap the Wild Wind." A two-film deal was signed by Roscoe Ates. He will appear in "Sullivan's Travels" and "Birth of the Blues." Tom Tyler has been signed by Producers Releasing Corp. to star in "Frontier Marshal" series of westerns for next season. Lee Powell will be featured with Tyler.

Kansas City Shows Slump in Grosses

Kansas City, May 19.—Grosses were generally off here, in a week of fine weather. No theatre exceeded average, but "Meet John Doe" reached average with $5,000 at the Orpheum.

Estimated receipts for the week ending May 13-18:

"The Great American Broadcast" (20th-Fox)
ESQUIRE—(800) (28c-44c) 9 days. Gross: $2,500. (Average, $2,800)
"Penny Serenade" (Col.)
"Ellery Queen's Penthouse Mystery" (Col.)
MIDLAND — (3,600) (28c-44c) 7 days. Gross: $8,500. (Average, $9,500)
"The Great Lie" (W. B.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week. Gross: $6,000. (Average, $6,500)
"Meet John Doe" (W. B.)
ORPHEUM — (1,500) (28c-44c) 7 days. Gross: $5,000. (Average, $5,000)
"Mr. District Attorney" (Rep.)
TOWER—(2,200) (30c) 7 days. Gross: $5,400. (Average, $6,000)
"The Great American Broadcast" (20th-Fox)
UPTOWN — (2,000) (28c-44c) 9 days. Gross: $3,500. (Average, $3,800)

'Lie' and Show Take $35,500 In Loop Slump

Chicago, May 19.—Business slumped throughout Loop with the exception of the Chicago Theatre, which hit $35,500 with "The Great Lie" and a varied stage show. "Fantasia" took $13,200 in its last week and "Citizen Kane" bows out of the Palace but continues at the Woods.

Estimated receipts for week ending May 15:

"Fantasia" (Disney)
APOLLO — (1,400) (50c-75c-$1.10-$1.65) 12th week. Gross: $13,200. (Average, $6,500)
"The Great Lie" (W. B.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Variety bill. Gross: $35,500. (Average, $32,000)
"That Night in Rio" (20th-Fox)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $3,000. (Average, $5,000)
"Cheers for Miss Bishop" (U. A.)
ORIENTAL—(3,200) (25c-40c) 7 days. Stage: "Waikiki Nights" unit. Gross: $11,500. (Average, $13,000)
"Citizen Kane" (RKO)
PALACE—(2,500) (75c-$1.10-$1.65) 7 days. Gross: $7,200. (Average, $13,000)
"The Great Dictator" (U. A.)
ROOSEVELT — (1,500) (35c-55c-75c) 7 days, 2nd week. Gross: $10,500. (Average, $11,000)
"Mr. District Attorney" (Rep.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: "Carnival of Fun" unit. Gross: $14,500. (Average, $15,000)
"That Hamilton Woman" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $12,000. (Average, $14,000)
"Citizen Kane" (RKO)
WOODS—(1,100) (75c-$1.10-$1.65) 7 days. Gross: $8,000.

ANGELS WITH BROKEN WINGS
BINNIE BARNES • GILBERT ROLAND
MARY LEE
BILLY GILBERT • JANE FRAZEE • EDWARD NORRIS
KATHARINE ALEXANDER • LEO GORCEY • LOIS RANSON • LENI LYNN • MARILYN HARE
BERNARD VORHAUS, Director • Screen play by George Carlton Brown and Bradford Ropes • Original story by George Carlton Brown
A REPUBLIC PICTURE
LOIS RANSON
She's an angel . . .

F. C. C. Rules Spell 'Death', Paley Charges

The FCC monopoly rules "are more of a death warrant than a Magna Carta," William S. Paley, CBS president, charged yesterday in a 33-page booklet issued by the network. Broadcasters, he said, will become "subservient to a little group of men in a government bureau, who can put on the air—or keep off the air—what they want, not what the people want," should the monopoly rules become effective.

Fly Says Report Is 'Closed Issue'

Washington, May 19.—The FCC monopoly report is "a closed issue" insofar as the Commission is concerned, Chairman James L. Fly said today.

The report is issued and the new regulations are in effect, he said, and it is "all settled." There is no question in his mind, he added, as to the authority of the FCC to promulgate the rules it issued.

Fly refused comment on the White resolution for an investigation of the report and the FCC's authority and practices.

The pamphlet is designed for distribution to newspapers but is likely to be distributed to the general public. Listing five consequences of enforcement of the rules, Paley stated that they threaten the very existence of present network broadcasting service; threaten continuance of outstanding sustaining broadcasts; will establish radio monopolies in many sections of the country, depriving many stations of revenue; weaken the ability of the radio industry to serve the public and thus encourage the Government to take over broadcasting entirely; and cripple broadcasting as a national service at a time when radio should be encouraged to continue and enlarge its contributions to national unity and morale.

Build Through Network

Each local station, Paley stated, builds its local listening audience through using network facilities and its revenues are derived not only from payment for carrying network programs but also from local advertising derived because an audience has been built.

Paley included a point-by-point analysis of the FCC report and regulations, stating that "radio in America is dominated, and has always been dominated, only by the listening public—and nobody else."

Paley continued: "The commission may never actually say to a radio broadcaster, 'We will not renew your license if you give time to speakers of an opposing political party.' But if that commission has the power of life and death over a broadcasting station, it could well be suicide commercially for a broadcaster to permit anything to go out on the air from his station which might displease the commission."

Cites Public Service Factor

He pointed out that most high powered stations were affiliated with NBC when CBS was organized but that it was possible for CBS to build a strong network. "The commission majority in its attempt to build up new networks at the cost of existing ones fails to show how the public interest will be served in the process," he said. "The resulting networks, it would appear certain, will be so cramped and restricted in their hours of operation, in scope, in certainty of coverage, in balanced programming, and in resources, that network broadcasting will be set back a generation."

Off the Antenna

IN a shift at the CBS publicity department, John Denson, who supervised the staff and handled all copy for newspapers and trade papers, has resigned to join the Washington staff of *Time*. He will be succeeded by Tom Flanagan, formerly head of the magazine division in the department.

• • •

Purely Personal: *West W. Willcox, formerly program and continuity director for WHOM, has been promoted to assistant station manager, a newly created post. Thurston S. Holmes, formerly assistant to Willcox, will take over the program duties. . . . William B. Ryan, sales manager of KGO-KPO, San Francisco, has been elected president of the San Francisco Advertising Club. . . . Andy G. Woolfries, assistant director of the Iowa State College radio station, WOI, Ames, Ia., has resigned, effective Aug. 1, to enter the commercial radio field. . . . Luke Walton has been named chief sports announcer for WISH, Indianapolis, which is expected to go on the air June 30. . . . Jessica Dragonette will return to CBS May 31 for the first of three guest appearances on "Saturday Night Serenade."*

• • •

"Kraft Music Hall" is the recipient of an unusual break. Last Tuesday, the producer of the show signed Lieut. W. W. Lowrey as guest for the June 5 program. Two days later, Lieut. Lowrey became a national hero for effecting the rescue of a brother officer who was dangling from an airplane when his parachute fouled on the transport plane from which he was jumping. The guest appearance of Lieut. Lowrey has been moved forward and he will be heard over NBC-Red Thursday at 9 P.M.

• • •

Although pickups from correspondents in foreign countries are commonplace with the networks, local independent stations have not attempted any heretofore. However, WMCA will have Johannes Steel, its commentator, for a short series direct from London beginning tonight. He will be heard also at 7:45–8 P. M., Thursday, and on May 27 and May 29.

• • •

Program News: *Parfum L'Orle, Inc., has signed a 13-week contract with WINS for a five-minute participation in "From Me to You" Monday through Friday. . . . Al Pearce and his Gang have been renewed by R. J. Reynolds Tobacco Co. for a Fall series over CBS. They will start their Summer vacation after the May 30 program and return Friday, Oct. 3.*

FCC Aide Resigns; Will Defend Rules

WASHINGTON, May 19.—Joseph L. Rauh, FCC assistant general counsel who was active in the preparation of the monopoly report and recommendations, has resigned to join the legal staff of the lease-lend administration. He will, however, make himself available to the FCC in event his services are needed to defend the regulations.

Boston Paper Uses Radio

BOSTON, May 19.—The *Boston Herald-Traveler* has started a campaign over WNAC, Boston, using four transcribed station breaks six days a week. The newspaper will use the time to introduce its featured writers to the radio audience. The contract represents an outright purchase of time, not a trade for space in the paper, it was stated.

Court Conforms BMI Decree to Ascap's

MILWAUKEE, May 19.—Federal Judge F. Ryan Duffy has signed an order which eliminates technical differences in the consent decrees signed with the Government by Ascap and Broadcast Music, Inc.

The modifications, which put Ascap and B. M. I. on a parity, had the approval of Thurman Arnold and Victor O. Waters, Special Assistants to the U. S. Attorney General.

Godfrey Goldmark, counsel for B. M. I., told the court that Ascap's decree permitted it freedom in contractual relations with its licensees which was not made available to B. M. I. in the latter's decree. He asserted that the freedom referred to gave Ascap a competitive advantage which the Government did not contemplate in making the decrees.

1,400 Students to See 'Dilemma' at 5c

An audience of 1,400 students from 35 of the city's senior and vocational high schools will see Katharine Cornell in "The Doctor's Dilemma" at the Shubert Theatre at a special five-cent matinee on Decoration Day, May 30. This is the first performance under the program to foster theatre appreciation among students at admissions up to 25 cents. Forty will be chosen from each school to attend.

Ice Show in Seattle

SEATTLE, May 19. — Shipstead & Johnson's "Ice Follies of 1941" open a two-week engagement at the Civic Ice Arena here this week. The schedule calls for one show daily, at prices from 50 cents to $1.85.

Frigon Is Shifted In CBC Changes

OTTAWA, May 19.—Auguste Frigon, assistant general manager of CBC, has been transferred from Montreal to Ottawa because such a move would "serve better the purposes of the corporation," M. J. Coldwell, acting House leader, has been informed.

Frigon's salary, it was stated, is $12,000 and General Manager Gladstone Murray's is $13,000. No change in these salaries is contemplated. In addition, last year Murray received an expense allowance of $10,497, and Frigon $2,024.

It was revealed that new changes in CBC operations involve: appointment of an executive committee to supervise the activities of the corporation; the general manager to give his exclusive attention to programs, public relations and general policies of the corporation; the assistant general manager to assume responsibility for internal administration and the direction and control of commercial operations; authority to appoint a controller of finance; all subject to instructions to be issued from time to time by the board of governors or the executive committee.

2 Amusement Parks Opened in Denver

DENVER, May 19.—Denver's two amusement parks have opened for the Summer season. The two are Elitch's Gardens, celebrating its 50th anniversary, and Lakeside. Johnnie Davis opened at the Trocadero in Elitch's, while Russ Morgan started the dancing season in Lakeside's El Patio ballroom.

The theatre at Elitch's also will celebrate a golden jubilee opening June 16 with George Somnes again directing. Twelve plays will be presented. Downtown theatres anticipate no marked slump in receipts, but suburban houses in North Denver, where both parks are located, expect a slump, except when poor weather halts outdoor activities.

Mexican Station to Double Its Power

MEXICO CITY, May 19.—Radio Station XEB here, property of the French-owned Buen Tono Cigarette Co., will complete by September installation of American equipment that will raise its power from the present 50,000 watts to 100,000 watts. This installation was to have been made this month, but war conditions delayed the delivery of equipment.

With this installation, XEB will join local Station XEW, owned and operated by the Emilio Carraga Co., which owns the first run theatre, Cine Teatro Alameda here, as the most powerful stations in Mexico, both with 100,000 watts.

New Fla. Company

TALLAHASSEE, Fla., May 19.—Blanding Center, Inc., of Jacksonville has been incorporated here by E. D. Connell, D. L. Rosenhouse and John Frost, for theatre operation.

Reagan's Father Dies

HOLLYWOOD, May 19.—John E. Reagan, father of Ronald Reagan, actor, died here yesterday at the age of 56 of a heart ailment.

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MOTION PICTURE DAILY

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Brief,
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V[illegible] 49. NO. 99 NEW YORK, U. S. A., WEDNESDAY, MAY 21, 1941 TEN CENTS

Bill in Illinois Would Limit Film Program

Maximum 135 Minutes; Goes to Committee

SPRINGFIELD, Ill., May 20.—A bill to limit motion picture theatre programs to a maximum of 135 minutes, unless there is an intermission of 15 minutes after each 60 minutes of a performance was introduced in the legislature here today by Assemblyman Sandquist of Chicago.

The bill, which is the first of its kind to appear at this session of the Assembly, provides for fines of $100 to $500 and imprisonment up to six months for violations. The bill was

(*Continued on page* 6)

Para. Publicists Hit SPG Defense Stand

Stands taken by the New York Screen Publicists Guild, as reported in the organization's publication, against conscription, the Lease-Lend Bill and other non-industry matters, were cited by seven members of the Paramount home office publicity department in an open latter made public yesterday as reasons why they have not joined the Guild.

The letter, addressed to Joseph Gould, SPG president, was signed by Aileen St. John Brenon, Tom Waller, C. N. Odell, Herb Berg, Paul E.

(*Continued on page* 5)

U.A., Ealing Close Three-Year Deal

London, May 20.—United Artists and Associated Talking Pictures at the Ealing Studio today formally announced a three-year contract for between six and eight films annually, as recently exclusively reported in *Motion Picture Daily*.

Three of the films each year will be designed for world distribution. The first four pictures will be: George Formby's comedy, "It's Turned Out Nice Again," "Ships With Wings" and "Black Sheep of Whitehall," starring Will Hay, and "Portrait of a British Foreman," from a story by J. B. Priestley.

Stills Were Basis Of McLean Tirade

Washington, May 20.—According to the *Washington Post* account of Rep. Donald McLean's tirade against the film business on the floor of the House yesterday, the Elizabeth, N. J., Congressman had not even seen the film about which he so bitterly complained. According to that newspaper, McLean's views were aparently based on still shots from the picture published in rotogravure by that paper last Sunday. The picture is "Adventure in Washington," a Columbia release.

658 British Houses Shut Since 1939

LONDON, May 20.—As figures obtained here indicate that a total of 658 film houses in Great Britain have been closed because of the war and other causes from Sept. 3, 1939, to May 19, 1941, the British Government is understood considering seeking a reduction in the number of theatres.

The Government, in deciding the question of exempting film technical employes from mili-

(*Continued on page* 5)

Amendment Voids Mich. Anti-5 Bill; Subject to Decree

LANSING, Mich., May 20.—The Michigan House today nullified the Snow anti-blocks-of-five bill by passing it with an amendment which subjects it to the provisions of the New York consent decree and to any "decree regulating the practices of the licensing exhibitor."

The amendment defeats the purpose of the bill and renders the measure inconsequential, if passed by the Senate, to which it now goes.

The amendment was offered by Rep. James B. Stanley of Kalamazoo, who last night led a fight against the bill. Adoption of the amendment by the House was a reversal of its action last night in voting to bury it in committee. The vote on the amended bill was 51 to 19.

The amendment to Section 2, subsection "A," follows: "Subject to be-

(*Continued on page* 6)

Schine Asks U. S. For More Details

BUFFALO, May 20.—A motion to require the Government to furnish a more definite amended complaint and a bill of particulars was filed in U. S. District court here today by Willard S. McKay, counsel for the Schine Circuit, in the Federal anti-trust suit against the company and three producer-distributors. Hearing on the motion was set for May 26.

(*Continued on page* 6)

Anti-Five Legislation Not Constitutional, Says Cole

By ALFRED FINESTONE

Minnesota's anti-blocks-of-five law and any similar legislation will be declared unconstitutional in a court test, Col. H. A. Cole of Dallas, president of Allied States Association, forecast here yesterday.

"The only thing to do is go along with the New York case consent decree," Col. Cole declared. He made it clear he was expressing his personal opinion.

State legislation designed to set aside provisions of the decree would be declared illegal in the Federal courts, he said, and indicated his be-

(*Continued on page* 6)

Appeal Luncheon Delayed to June 3

The luncheon meeting of the Committee of the Amusement Division of the United Jewish Appeal, originally scheduled for the Hotel Edison on May 27, has been postponed until June 3.

The luncheon has been arranged by Barney Balaban, David Bernstein and Major Albert Warner, co-chairmen of the division. Dr. Joseph J. Schwartz, European vice-chairman of the Joint Distribution Committee, recently arrived from Lisbon, will be the chief speaker.

First Theatre Television in B'way Rialto

Deal Set with Scophony; Start in Two Weeks

Theatre size screen television is expected to start at the Rialto Theatre on Broadway in about two weeks, under terms of a contract signed yesterday with Scophony Television. This will be America's first television theatre. The time required for the installation will depend on how quickly a special direct current line can be placed in the house.

[MOTION PICTURE DAILY *on Monday reported exclusively that the deal was pending.*]

The Rialto management plans to increase admission prices for the television shows, the amount of the increase depending on the nature of the program. The present scale is 28-44 cents and 55-cents top weekends and holidays. The theatre has 594 seats.

The screen will be 10 by 12 feet, but will be masked somewhat, and the

(*Continued on page* 6)

RKO Golf Tourney Draws 210 Players

Golfers 210 strong teed off yesterday in the sixth annual RKO tournament over the Westchester Country Club's two courses. The weather was ideal. Players, including RKO employes and guests, vied for foursome prizes as well as 18 special prizes.

Ned E. Depinet was master of ceremonies at the banquet in the evening, which was attended by 250 persons.

The winners follow:

Low gross, South course: employes, Charles Horstman, Mike Poller; guests, H. Scott, Edward Golden; West course, employes, Andre Baruch,

(*Continued on page* 6)

In Today's Issue

"Shining Victory" is reviewed on Page 4. Key city grosses, Page 4. Famous Players Canadian personnel shifts, Page 6. House bill would tax radio stations 10 to 20 per cent of gross, Page 8.

Coast Flashes

Hollywood, May 20

A ONE-YEAR contract negotiated today ended the two-day strike of Leon Schlesinger cartoon employes. The pact, which awaits Schlesinger's signature, names Screen Cartoonists Local 852 as the bargaining agent. Under the new scale, the studio's payroll will be $6,000 to $7,000 more a year, union leaders estimate. Length of the contract was the principal reason for the strike, with the producer insisting on a straight three-year term. It is understood the union made concessions in the length of vacations originally demanded.

•

The PCCITO annual convention committee today announced topics for the meeting in Los Angeles, June 9-12, will be the consent decree and blocks-of-five selling, possible theatre expansion, arbitration, short subjects, and Ascap. The committee includes Rotus Harvey and Ben Levin of San Francisco and Hugh Bruen, Jack Berman and R. H. Poole of Los Angeles. The MPTOA convention will be held in conjunction with the PCCITO meeting. More than 1,000 exhibitors are expected to attend both conventions, and leading company executives and others are expected to attend as speakers.

•

William Koenig has been given an extension of his contract as 20th Century-Fox general production manager, a post he has held the last two years.

Personal Mention

R. J. O'DONNELL of Dallas is here for Paramount home office conferences.

•

J. Cheever Cowdin, Universal board chairman, is expected back from the Coast at the end of the week.

•

John Nathan, Paramount manager for Argentina, Paraguay and Uruguay, arrived yesterday for home office conferences.

•

Edward O'Connor, M-G-M branch manager in Havana, was recently given a dinner by local film and newspaper men.

•

Saul Korman of the staff of the Grant Theatre, Detroit, is visiting here.

•

Col. John A. Cooper, chairman of the board of the Motion Picture Distributors of Canada, has been elected vice-president of the Dominion Fire Prevention Association.

•

Patrick Carden of the staff of the American Theatre, Pittston, Pa., and Anna Clifford were married recently in Avoca, Pa.

•

Felix Brisbois of the staff of the Marlboro Theatre, Marlboro, Mass., observed his 80th birthday on Sunday.

JAMES E. PERKINS, Paramount manager for the Orient, will leave for the Coast tomorrow where he will visit before returning to Shanghai.

•

M. A. Lightman, head of Malco Theatres, is in New York from Memphis.

•

Mr. and Mrs. Jesse Thurston Mills have announced the engagement of their daughter, Jane, to Thomas J. Parrott. Mills is comptroller of Loew's, Inc.

•

Henry Weiner, Havana branch manager for United Artists, is ill.

•

Joseph N. Anstead, manager of the Loew-Poli Elm Street Theatre, Worcester, Mass., will vacation in Montreal, where his daughter, Kay McKay is singing.

•

George A. Nevin, manager of the Capitol, Danville, Pa., is recuperating from a leg operation.

•

Edgar Lynch, manager of the Warner Theatre, Worcester, Mass., will leave next week on a vacation in New York and Virginia Beach.

•

Russell Moriarty, assistant manager of the Loew-Poli Plaza, Worcester, Mass., has left to enter another business.

Newsreel Parade

THE newsreels in their midweek issues offer accounts of one of the most severe air raids on London, the Variety Clubs' convention in Atlantic City and celebration of "American Day" in New York in addition to recent defense developments. The reels and their contents follow:

MOVIETONE NEWS, No. 73—London air raid. "American Day" at Central Park. Lumber fire in Philadelphia. French ships seized here. New battleship *Washington* commissioned in Philadelphia. Variety Clubs convention. "King and Queen Cotton" crowned in Memphis. "Connie Mack Day" in Philadelphia. Bathing beauties in Del Monte, Cal. Women's bowling convention in Los Angeles.

NEWS OF THE DAY, No. 271—"American Day" in New York. London air raid. Navy launches battleship *Washington* in Philadelphia. French ships seized here. Fire in Philadelphia. Showmen meet in Variety Clubs convention. Women bowlers in Los Angeles. Marines in boxing matches in San Diego.

PARAMOUNT NEWS, No. 76—New warship *Washington* joins the fleet. New press bureau for the navy. Conscientious objectors' camp in New York. "American Day" celebrated in New York. Variety Clubs convention. Rudolf Hess' plane in Scotland. London air raid. Indo-China's position in the war.

RKO PATHE NEWS, No. 76—"American Day" around the country. Films of plane which Rudolf Hess flew to Scotland. *U. S. S. Washington* commissioned in Philadelphia. Defense housing in Washington and Dallas. Fire in San Pedro, Cal. Variety Clubs pageant. Bathing beauties in Del Monte, Cal. Women's Bowling Congress in Los Angeles. Rowing at Annapolis.

UNIVERSAL NEWSREEL, No. 981.—"American Day" in New York. Battleship *Washington* commissioned in Philadelphia. U. S. guards French ships. Air raid in London. New transport plane tested in New York. Philadelphia lumber fire. "King Cotton" crowned in Memphis. Variety Clubs convention. Bathing beauties in Del Monte, Cal. Track meet in Minneapolis. Women's Bowling Congress in Los Angeles. "Connie Mack Day" in Philadelphia.

400 at Meeting of N. Y. Cinema Lodge

About 400 members and guests attended an open meeting last night of the Cinema Lodge of B'nai B'rith at the Hotel Astor. Pierre van Paassen, noted author, addressed the group.

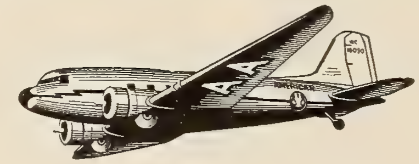
Arthur Israel, Jr., president of the lodge, was in charge of the meeting. Dr. Samson A. Shain, rabbi of the Sunnyside Jewish Center, gave the invocation and introduced van Paassen. There were talks by Col. A. Ralph Steinberg and Hy Haves, regional director of the AZA Youth Movement. There was a musical program by Peri Josefovitz, pianist, and Ruth Whitney.

Rodgers Leaves for Studio on Friday

William F. Rodgers, general sales manager of M-G-M, is scheduled to leave Friday for the Coast where he will confer at the studio on the schedule of Summer releases.

Jersey Allied Meets On Convention Plans

New Jersey Allied in an all-day meeting yesterday at the Cadillac Restaurant, Newark, formulated plans for its annual convention at the Ritz-Carlton, Atlantic City, June 11 to 13. A beefsteak dinner followed the business session. Lee Newbury, president, directed the meeting.



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ATLANTIC COAST SECTION

S. M. P. E.

Hotel Pennsylvania, New York City

Today, May 21—8:30 P.M.

GUEST SPEAKERS:

LEONARD GOLDENSON

Paramount Pictures, Inc.

Subject: "The Engineer and the Box Office"

* * *

J. R. SWITZER

Conti-Glo Corp., Cleveland, Ohio . . . Subject: "Black Light Fluorescence for Theatre Decoration"

(Sensationally Revolutionary Development)

* * *

Motion Picture Industry Executives and Personnel are cordially invited to attend.

MOTION PICTURE DAILY

(Registered U. S. Patent Office)

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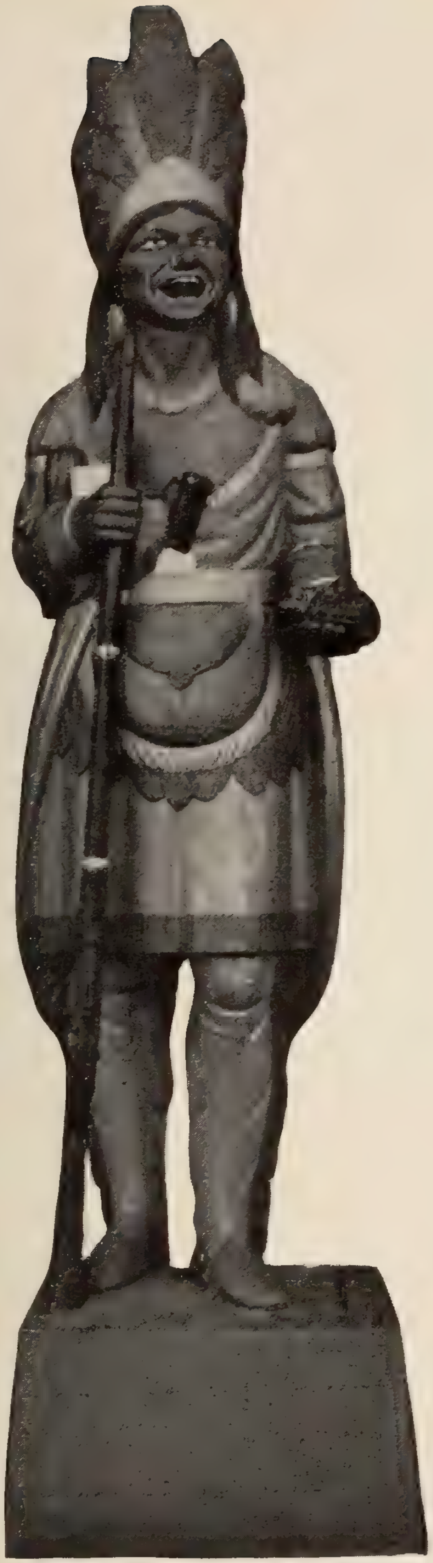
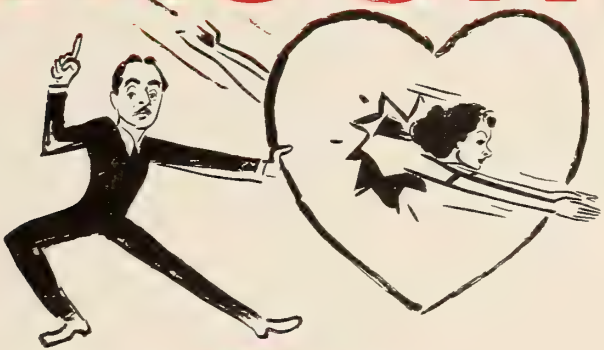


it would make a WOODEN INDIAN LAUGH!



WILLIAM POWELL and MYRNA LOY are "LOVE CRAZY"

Take a Tip from the Critics!

HOLD-OVERS! "Love Crazy" standout laugh hit. Will roll up hefty biz in all runs, with key hold-overs indicated. —*Variety*

BEST YET! Following "Ziegfeld Girl" this one should prove the value of Metro's contract. A cinch for all types of audiences. The best Powell-Loy to date. Not just funny, it's hilarious. —*Film Daily*

TOP! Top box-office team. A hilariously funny offering. Loud and long were the laughs at its preview. —*Motion Picture Daily*

HYSTERICAL! The audience hysterical with laughter. Adds up to one long howl of merriment. A large-sized hit. Production of top M-G-M quality. —*Hollywood Reporter*

BEAT HEAT! A laughfest that will please in a big way. Tops. Beat the heat in Spring and Summer. —*Showmen's Trade Preview*

A CINCH! The kind the mob likes, served on a silver platter and a cinch for laughs. Cash customers will buy it and come back for seconds. —*Box office*

HIGH GROSS! Preview audience laughed often and loudly. A high gross of laughs. —*Motion Picture Herald*

COIN! Heavy laugh payoff. A coin picture because of the names and the content, which is antidotal for the encircling gloom. A sure-fire audience picture. —*Daily Variety*

Wait till you see Bill Powell like this!

WILLIAM POWELL• MYRNA LOY *in* "LOVE CRAZY" *with* Gail Patrick
Jack Carson • Florence Bates • Sidney Blackmer • Screen Play by William Ludwig, Charles Lederer and David Hertz
Directed by Jack Conway • Produced by Pandro S. Berman • An M-G-M Picture

'Broadcast' Frisco's Best With $13,900

SAN FRANCISCO, May 20.—"The Great American Broadcast," paired with "Flight from Destiny," drew $13,900 at the Paramount, while "Wagons Roll at Night" and "The Penalty" took $13,500 at the Warfield.

Estimated takings for the week ending May 13-17:

"Repent at Leisure" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $13,200. (Average, $15,000)
"Penny Serenade" (Col.)
"Lone Wolf Takes a Chance" (Col.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $8,000. (Average, $8,000)
"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (25c-30c-40c-50c) 7 days, 5th week. Gross: $7,800. (Average, $8,000)
"Shadows on the Stairs" (W. B.)
"Ziegfeld Girl" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 4th week. Gross: $5,000. (Average, $6,000)
"The Great American Broadcast" (20th-Fox)
"Flight From Destiny" (W. B.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $13,900. (Average, $11,500)
"The Great Lie" (W. B.)
"Here Comes Happiness" (W. B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $14,500. (Average, $16,000)
"Wagons Roll at Night" (W. B.)
"The Penalty" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $13,500. (Average, $12,000)
"Pepe le Moko" (Mayer-Burstyn)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $1,200. (Average, $1,000)
"Fantasia" (Disney)
GEARY—(1,288) (55c-75c-$1.10-$1.65) 7 days, 11th week. Gross: $8,000. (Average, $12,000)

'Bishop' and Heidt $19,000 in Buffalo

BUFFALO, May 20. — "Cheers for Miss Bishop," with Horace Heidt's orchestra on the stage, led a big week here with $19,000. "That Hamilton Woman," double-billed at the Great Lakes, drew $9,000.

Estimated receipts for the week ending May 17:

"Cheers for Miss Bishop" (U. A.)
BUFFALO—(3,489) (30c-35c-55c) 7 days. Horace Heidt and His Musical Knights on stage, with Larry Cotton, Fred Lowery, Frankie Carle, Burton Pierce, Red Ferrington, Donna and her Don Juans, Mimi Cabanne and others. Gross: $19,000. (Average, $12,000)
"That Hamilton Woman" (U. A.)
"Washington Melodrama" (M-G-M)
GREAT LAKES — (3,000) (30c-55c) 7 days. Gross: $9,000. (Average, $7,500)
"Ziegfeld Girl" (M-G-M)
"Strange Alibi" (W. B.)
HIPPODROME—(2,100) (30c-50c) 7 days, 3rd week. Gross: $5,800. (Average, $6,800)
"Sis Hopkins" (Rep.)
TWENTIETH CENTURY—(3,000) (30c-35c-50c) 7 days. Stars Over Hollywood, stage revue, with Shirley Deane, Senator Murphy, Ross & Pierre, Lester Oman and His Little Men, The Mercer Brothers, The Martingales, The Melody Men and The Hollywood Starlets. Gross: $10,000. (Average, $7,500)
"Penny Serenade" (Col.)
"Glamor for Sale" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. "Penny Serenade" 2nd week. Gross: $6,400. (Average, $6,300)

Sternberg Directs Pressburger Film

HOLLYWOOD, May 20.—Josef Von Sternberg was signed by Arnold Pressburger today to direct "Shanghai Gesture." The picture, which will be Pressburger's first for United Artists' release, will be made at the Hal Roach studios. Shooting is scheduled to start July 1.

Feature Review

"Shining Victory"

(Warners)

A FINELY wrought, strongly dramatic story, adapted from a play by A. J. Cronin of "The Citadel" fame, this picture offers excellent performances, a tightly woven example of fine picture making, but, for popular audience consumption, presents a tragic ending which may have an effect on the box-office.

Although there is every reason to concede the apparent logic of the conclusion, it seems quite unnecessary from the standpoint of popular screen appeal and, as such, might have been revised.

James Stephenson and Geraldine Fitzgerald are splendid as the English scientist specializing in mental diseases, and his young feminine doctor-assistant, respectively. Equally fine performances are provided by Donald Crisp, Barbara O'Neil and Montagu Love, in chief support.

Stephenson, embittered when a Budapest associate takes credit for his research, and forces his ejection from the country, takes a post at Love's Scotch sanitarium for mental cases, and Miss Fitzgerald, coming as his assistant, gets the brunt of his sharpness and bad temper. Miss O'Neil, secretary to Love and a typical example of a repressed, almost pathological case, in love with Stephenson, fights the growing attachment of Miss Fitzgerald and Stephenson. When the latter's experiments are successfully concluded, she vents her anger by setting fire to the laboratory. Miss Fitzgerald tosses the invaluable records from a window, and is herself burned to death, immediately prior to her scheduled marriage to Stephenson.

Running time, 80 minutes. "A."* CHARLES A. AARONSON

"A" denotes adult classification.

Providence Gives 'Ziegfeld' $15,000

PROVIDENCE, May 20. — Loew's State's double bill, "Ziegfield Girl" and "Missing Ten Days," pulled a big $15,000 for a hold-over but business elsewhere was slow.

Estimated receipts for the week ending May 14-15:

"That Uncertain Feeling" (U. A.)
"South of Panama" (P.R.C.)
RKO-ALBEE — (2,239) (28c-39c-50c) 7 days. Gross: $5,500. (Average, $6,000)
"Ziegfeld Girl" (M-G-M)
"Missing Ten Days" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $15,000. (Average, $11,000)
"The Wagons Roll at Night" (W. B.)
"Flight From Destiny" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $5,700. (Average, $7,000)
"Reaching For the Sun" (Para.)
"Under Age" (Col.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $4,000. (Average, $6,000)
"Footlight Fever" (RKO)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Vaughn Monroe's orchestra; Jeanne Lorraine and Roy Rognan; Lew Parker; and Hal Leroy. Gross: $5,000. (Average, $4,700)
"Two-Gun Sheriff" (Rep.)
"Thieves Fall Out" (W. B.)
FAY'S — (1,800) (15c-25c-50c) 7 days. Gross: $2,300. (Average, $2,800)
"That Hamilton Woman" (U. A.)
"The Big Boss" (Col.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $3,100. (Average, $3,500)
"A Girl, A Guy and A Gob" (RKO) (3 days)
"Cheers for Miss Bishop" (U. A.) (3 days)
"The Devil and Miss Jones" (RKO) (4 days)
"Las Vegas Nights" (Para.) (4 days)
EMPIRE — (1,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $1,700)

'Back Street' Sets Record in Havana

HAVANA, May 20.—"Back Street" set a new record at the America, leading first run house here, with a sell-out on a Saturday, the first time this has occurred at the house since the opening here of "Gone With the Wind."

"Cuban Rhythms" is the first of a group of two-reel musical subjects produced here by Saica Films. Estelita Rodriguez and Rene Cabell, radio stars of Station CMQ, are featured.

'Zanzibar' $18,000 Washington Gross

WASHINGTON, May 20.—A fair week, marked by the debut of "Fantasia" on a two-a-day basis at the National, saw the lead taken by "Road to Zanzibar," at Loew's Palace, with $18,000.

Estimated receipts of the week ending May 14-18:

"Fantasia" (RKO)
NATIONAL—(1,693) (55c-75c-$1.10-$1.65) 7 days. Gross: $13,000.
"The Lady from Cheyenne" (Univ.)
RKO-KEITH'S—(1,834) (39c-55c) 7 days. Gross: $7,500. (Average, $10,000)
"Road to Zanzibar" (Para.)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $18,000. (Average, $15,000)
"Affectionately Yours" (W. B.)
WARNER'S EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Charles Spivak and his orchestra. Gross: $14,000. (Average, $15,000)
"Sis Hopkins" (Rep.)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days. Gross: $4,800. (Average, $4,500)
"Washington Melodrama" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Ted Weems and his orchestra, Walter Wahl, Mardoni, Dennett & Dae. Gross: $14,500. (Average, $15,500)
"That Night in Rio" (20th-Fox)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days. Gross: $4,000. (Average, $4,000)

'Rookies,' Jurgens Lead Indianapolis

INDIANAPOLIS, May 20.—Dick Jurgens' Orchestra on the stage and "Rookies on Parade" on the screen took a fine $11,000 at the Lyric. "Penny Serenade," on a dual at Loew's, grossed $8,800.

Estimated receipts for the week ending May 16:

"Reaching for the Sun" (Para.)
"Las Vegas Nights" (Para.)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $3,300. (Average, $6,000)
"The Great American Broadcast" (20th-Fox)
INDIANA—(3,200) (28c-33c-44c) 8 days. Gross: $5,200. (Aerage, $6,000)
"Penny Serenade" (Col.)
"Ellery Queen's Penthouse Mystery" (Col.)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $8,800. (Average, $7,000)
"Rookies on Parade" (Rep.)
LYRIC — (2,000) (30c-40c-50c) 7 days. Stage: Dick Jurgens' Orchestra. Gross: $11,000. (Average, $8,000)

'Melodrama,' Dorsey Band Lead in Phila.

PHILADELPHIA, May 20.—In spite of the appearance of Roy Rogers with a rodeo in town all week, several carnival shows throughout the city, and the Variety Club conventi[illegible]-tracting the town folk to At[illegible]c City, business continued good at the downtown houses. Best business was registered at the Earle, where Jimmy Dorsey's band on the stage and "Washington Melodrama" on the screen accounted for $26,000. "Meet John Doe" at the Stanley took $18,000.

Estimated receipts for the week ended May 14-17:

"That Uncertain Feeling" (U. A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 3 days, 2nd week. Gross: $3,500. (Average, $9,000)
"Ziegfeld Girl" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,600. (Average, $2,600)
"That Hamilton Woman" (U. A.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $14,500. (Average, $13,000)
"Washington Melodrama" (M-G-M)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Jimmy Dorsey's orchestra, Helen O'Connell, Bob Eberly, Buddy Schutz, Stump & Stumpy, and Hector and his Pals. Gross: $26,000. (Average, $14,000)
"Ride On, Vaquero" (20th-Fox)
FAY'S — (2,190) (15c-29c-35c-46c-57c) 7 days. Vaudeville including Sally Keith, Bob Carney & Co. with Joe Cowan and Roberta Carney, Canfield Smith, the Byron Sisters and Miller, Gain & Tyler. Gross: $6,400. (Average, $6,900)
"Pot o' Gold" (U. A.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $10,700. (Average, $13,000)
"Road to Zanzibar" (Para.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run, 2nd week. Gross: $4,700. (Average, $3,000)
"The Great Lie" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,300. (Average, $4,500)
"Meet John Doe" (W. B.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $18,000. (Average, $14,000)
"The Wagons Roll at Night" (W. B.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $6,000. (Average, $4,500)

'Wagons,' King Band $25,500, Pittsburgh

PITTSBURGH, May 20.—Wayne King on the stage with "The Wagons Roll at Night" gave the Stanley $25,500, best week in several months. "That Hamilton Woman" lifted Loew's Penn to $16,000.

Estimated receipts for the week ending May 15:

"That Night in Rio" (20th-Fox)
FULTON—(1,700) (28c-44c) 7 days, 2nd week. Gross: $3,200. (Average, $5,000)
"That Hamilton Woman" (U. A.)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $16,000. (Average, $13,000)
"Ziegfeld Girl" (M-G-M)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $3,800. (Average, $3,000)
"Sis Hopkins" (Rep.)
SENATOR—(1,800) (28c-39c-55c) 7 days. Gross: $3,200. (Average, $5,000)
"The Wagons Roll at Night" (W. B.)
STANLEY — (3,600) (28c-44c-66c). On stage: Wayne King Orchestra, Don Cummings, Monocled Ambassadors, Tommy and Betty Wonder, Randall Sisters. Gross: $25,500. (Average, $18,000)
"Meet John Doe" (W. B.)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)

2 Companies Formed

ALBANY, May 20.—Two new companies incorporated here include Adventure Epics, Inc., by Robert D. Bloom, MacDelson and S. Harry Eilenberg, and Cinetech Corp., by Alexander Feierman, William and Max Bauman, both of New York City.

Rep. 35% Ahead of 1940, Meeting Told

HOLLYWOOD, May 20.—Republic's Western division obtained 35 per cent more playdates and contract liquidation in the first six months of this year than in the corresponding period last year, James R. Grainger, president, and H. J. Yates told the Western division sales meeting at the studio today. No figures were given.

The business increase was maintained generally in all divisions, Grainger said. During the period the company received more A theatre playing time than ever before, it was announced. Gene Autry's films contributed most of the first run increase, with circuits playing them where westerns had not been booked before, Grainger said.

The salesmen were queried during the two-day meeting as to types of pictures wanted by exhibitors. Their replies will be tabulated with the selections given by salesmen at the forthcoming Chicago and New York meetings.

Regional Meeting in Chicago Tomorrow

CHICAGO, May 20.—Herbert J. Yates will attend the regional convention of Republic Pictures at the Drake Hotel Thursday and Friday, at which time pictures for the first 10 weeks of the new season will be announced.

James R. Grainger, president, will preside over representatives from the Dallas, Atlanta, Charlotte, Memphis and New Orleans offices of the Southern division and Chicago, Indianapolis, St. Louis and Milwaukee of the Midwest group of exchanges.

Majors Ask Time In Pickwick Case

NEW HAVEN, May 20.—Asking more definite information and bills of particulars the eight major companies seek extended time in which to answer the complaint in the Pickwick Theatre's $5,452,575 anti-trust suit in the U. S. District Court here. The motions, filed yesterday by Edwin F. Morse of New Canaan for 20th-Fox, and Charles Lyman of New Haven for the other companies, ask 30 days more time after service of the new information, or, if the requests are denied, 30 days from the date of the denial.

Also filing motions were the defendants Skouras Theatres Corp., George and Spyros Skouras, and Fox Metropolitan Playhouses, Inc., who alleged that "the purported service" of the summons and complaint upon them in this matter by registered mail at their homes and offices in New York State was improper and that the complaint should be "quashed and dismissed" in so far as it referred to them.

Phila. Houses Add Defense Showings

PHILADELPHIA, May 20. — Two more city houses have fallen in line with the policy of featuring late evening showings for the benefit of defense workers in the area. The late show policy has been inaugurated at Warners' Stanton and the Studio for Saturday nights. Gil Fradeneck, manager of the Rialto, upstate at York, Pa., is the latest in the territory to inaugurate defense workers matinees.

Para. Publicists Hit SPG Stand on Defense Policy

(Continued from page 1)

Ackerman, Henry Larner and Leo Brody. The letter follows:

"Inquiry has been made as to why we do not join the Screen Publicists' Guild. As you know, we are members of the staff of Paramount Pictures, Inc. Each of us has been with Paramount Pictures for upwards of six years, and we have no reason to be dissatisfied with the conditions under which we have worked. We realize that this is not a reason for not joining a union, as it may well be that the association of all in our craft may be of benefit not only to ourselves, but to others. This would ordinarily be sufficient to induce us to join.

Cites Defense Opposition

"But we are hesistant about joining a union which does not attend strictly to business that concerns our industry. For instance, we gather from the magazine of the Guild, the SPG News, the the union was opposed to conscription. Opposition to the Lease-Lend Bill was voiced by the Executive Council. The SPG News (March, 1941) refers to various legislative measures as bearing 'the content of dictatorship' and 'the portent of war.' The union apparently regards it as part of its function to take a position and to endeavor to influence public opinion on various public issues. Of course, these matters affect those in our business just as they affect all other citizens of the United States. Nevertheless, we refuse to join an organization that speaks for us on these issues instead of regarding itself as limited to the immediate matters that concern our business. When we take a position on questions involved in war or peace, the New Deal, child labor, or any other general subject we shall join with associates who see eye to eye with us. We refuse to join an organization that assumes to speak for its members on these subjects, where the real purpose of its existence should be along entirely different lines.

Weigh Independent Union

"We and others of the Paramount organization have for some time had in mind the question of whether or not it would be advisable to form an independent union of our own. This union would deal with Paramount on any question affecting its employees. This union might on some issues join with the Screen Publicists' Guild, but we ourselves would determine whether or not to join on these particular issues. Time might come when this union would become a part of the Screen Publicists' Guild. A number of us hesitate to form this independent union merely because it might be charged that in some way we were injuring the interests of the Screen Publicists' Guild by forming a separate union, and we might even be charged with forming a company union. We want nothing of that kind. We would, however, be interested to know the reaction of the Screen Publicists' Guild to the suggestion that we form our own union to represent those in Paramount employ.

"In writing this letter we are expressing our own views but we think we likewise express the views of a large number of Paramount employes who are not prepared at the present time to join the Screen Publicists' Guild."

658 British Houses Shut Since 1939

(Continued from page 1)

tary service, may raise the point of unnecessary theatres and production companies, it is learned unofficially.

The government position is that if the industry is assured of a sufficient supply of labor to avert a possible shortage, the industry, for its part, must cooperate in eliminating any overlapping.

Of the 658 theatres closed, approximately 500 have been closed directly because of the war, either through bombings, evacuation, depressed trade due to war conditions, or for similar reasons.

Following informal approaches to the Government by the industry in the matter of military service exemptions, Ernest Bevin, Minister of Labor, has assured industry representatives that the final decision will embrace the entire industry, and not sectional interests.

Obituaries

Eastman Theatre Head Dies

CLIFTON SPRINGS, N. Y., May 20.—Louis H. Clarey, 47, former associate director of the Eastman Theatre in Rochester, is dead here.

Clifford Braum Dead

OTTUMWA, IA., May 20.—Clifford Braum, president of Ottumwa Theatres, Inc., affiliated with Tri-States Theatre Corp., who had been ill since March, died last week at Rochester, Minn. He is survived by his widow.

Pennsylvania Exhibitor Dies

DANVILLE, PA., May 20.—The funeral of Joseph Heim, former owner of the Luna Theatre here, was held Sunday. Burial was in Jewish Cemetery. His widow and a daughter survive.

Decision Reserved In Blumenthal Case

Federal Judge Grover M. Moscowitz yesterday reserved decision on an application of the Government to punish A. C. Blumenthal for alleged contempt of court in failing to appear as a witness during the trial of Joseph M. Schenck, and on a counter application of Blumenthal to quash the Government subpoena.

Blumenthal, who was and still is in Mexico, has submitted affidavits of six Mexican doctors to prove that he was ill on the date his appearance was required. No decision will be made until Blumenthal's own affidavit, now in transit, reaches the court.

ANGELS WITH BROKEN WINGS
BINNIE BARNES • GILBERT ROLAND
MARY LEE
BILLY GILBERT • JANE FRAZEE • EDWARD NORRIS
KATHARINE ALEXANDER • LEO GORCEY • LOIS RANSON • LENI LYNN • MARILYN HARE
BERNARD VORHAUS, Director • Screen play by George Carlton Brown and Bradford Ropes • Original story by George Carlton Brown
A REPUBLIC PICTURE
LEO GORCEY
He's no angel....
He's a high-flier from Hell's Kitchen.

First Theatre Television in B'way Rialto

(*Continued from page* 1)

projection will be from the rear. There will be a camera installed which will permit announcements or pickups from within the theatre to be made on the screen, and perhaps other special features, such as news announcements and interviews.

As disclosed by MOTION PICTURE DAILY on Monday, the Rialto will depend on television programs broadcast from television stations in the New York area. Although such programs will also be available on home receivers, most of the patronage of the Rialto will not have such sets, it is believed, and may be willing to pay for the privilege.

Scophony, before the war, installed large screen receivers in the Odeon and Monseigneur theatres in London. With the discontinuance of television in England because of the war, the Rialto will become the only television theatre in the world.

Meanwhile, RCA Manufacturing Co., which has a 15 by 20 foot television screen receiver on the market, is continuing demonstrations at the New Yorker Theatre. Programs televised by NBC are being picked up and shown in large size at the New Yorker. This afternoon the horse races from Belmont will be shown and baseball may be shown later this week.

Bill in Ill. Would Limit Film Shows

(*Continued from page* 1)

referred to the Public Health Committee of the House.

Propose 2-Cent Ticket Levy in Florida House

TALLAHASSEE, May 20.—A bill to impose a two-cent tax on all Florida theatre tickets was introduced in the legislature here today by Representative Lane of Manatee County, and Representative Leaird of Broward County.

The tax is designed to consume the odd cents after payment of the three-cent Federal tax. Proceeds were estimated at $1,500,000 annually. Approximately $150,000 would be used to supply free school books, $375,000 for old-age pensions and the remainder would be distributed to county school boards on a teacher-unit basis.

Lane said he had been assured a favorable committee report on the bill.

Warner Party in Albany Saturday

ALBANY, May 20.—The Warner Clubs of Albany and Troy will combine to hold their annual Spring ball and banquet at the Ten Eyck Hotel Saturday. Co-chairmen for the event are Charles A. Smakwitz, district manager, and Leo Rosen, manager of the Troy Theatre, Troy.

Committee chairmen are Jules Curley, Strand, Albany, publicity; Joseph Weinstein, zone short subject booker, entertainment, and James P. Faughnan, contact manager, seating.

Anti-Five Legislation Not Constitutional, Says Cole

(*Continued from page* 1)

lief that purely on legal grounds such enactments would not hold water.

Theatre business around the country is spotty, Col. Cole said, and does not measure up to the expectation of what the defense spending would bring. In the neighborhood of army camps and new large factory plants, however, business is better than elsewhere, the Allied chief said.

Col. Cole expects to leave Friday for Cleveland to atttend a special meeting of the national Allied board where plans will be discussed for Allied's annual convention in Philadelphia in September. The move for a revision of the Federal admission tax structure also will be discussed, among other matters.

It is planned to have a session at which Ohio independent exhibitors will meet with the national board members. Delegations are expected from the ITO of Ohio and the Cleveland M. P. Exhibitors Association.

Amendment Voids Mich. Anti-5 Bill; Subject to Decree

(*Continued from page* 1)

ing trade shown and offered in blocks of not more than five, and otherwise subject to all provisions of any decrees of any court of competent jurisdiction regulating the practices of the licensing exhibitor."

Last night's action was taken after Rep. Stanley said the bill conflicts with the decree.

"If we pass this bill it would mean you would go to state prison for violating it, but if you obey it you could go to a Federal penitentiary for disobeying the Federal decree," Stanley told the House.

Rep. Raymond Snow replied that Minnesota has the same law, and "hasn't sent anybody to prison yet for obeying the Federal decree."

The House returned the 10 per cent amusement tax measure, the first additional tax bill recommended by the House General Taxation Committee this season, to that group, which is equivalent to killing it. Representative Jack Neller of Battle Creek assailed the tax bill as "unjustified." "If there ever was a time to let the public get out and relax, it is now," he declared.

RKO Golf Tourney Draws 210 Players

(*Continued from page* 1)

Lou Miller; guests, Mel Farrington, A. Kronenberg.

"Kickers" handicap: employes, Harry Zeitel, Bill England, Phil Hodes; guests, O. C. Doering, George Dembow, Charles Yates.

Putting contest: Wally Howes, A. Kronenberg, William White.

Nearest to the pin: West course, Charles Yates, A. Kronenberg; South course, Zach Taylor, Edward Golden.

Tennis tournament (singles): William Zimmerman.

Worst golfer: Vincent Trotta.

Foursome winners: N. P. Rathvon, J. H. Walters, Roy Haines, E. M. Hartley, William Brandt, Ed Zabel, Clayton Bond, Mort Singer, Walter Seaton, T. Meehan, Dick Gavin, R. Winckler, T. O'Connor, Gordon Youngman, H. D. Cole, Harry Michalson, Eddie Sniderman, H. D. Weston, E. A. Powers, R. F. Daigh, W. McCaffery, Harry Link, Walter Ament, L. Seidman, B. T. Josephson, Jack Alicoate, C. W. Koerner, J. O'Donnell, Max A. Cohen, C. Benenson, Lou Parker, Jack Baker, E. Espen, Tom Mos, Joseph Felder, C. O'Reilly, Harold Rinzler, J. Sweeney, Lou Pollock, Dan Sanfilippo.

Form Worcester Firm

WORCESTER, MASS., May 20.—The Delphi Theatre Corp. has been chartered by the Secretary of State. Incorporators are William C. Gallagher of Portland, Me., and Peter L. Bell and Helen G. Lubin of Worcester.

Schine Asks U. S. For More Details

(*Continued from page* 1)

McKay's petition states in part: "I have carefully examined the amended complaint and am of the opinion and have so advised my clients that it is not possible to differentiate clearly between the distributors who remain as defendants in the action and the distributors who have been dropped as defendants and who are characterized in the amended complaint as 'non-defendant' distributors, nor is it possible to differentiate clearly between the acts, combinations and conspiracies charged in the complaint between the Schine defendants and the distributor defendants, on the one hand, and the 'Schine defendants' and the 'non-defendant distributors,' on the other hand."

"The amended complaint is very broad and general in its terms," the petition states. "It alleges a violation of the Sherman Act in the language of the statute and charges monopolies and attempts to monopolize, combinations and conspiracies in general terms, without giving any particulars whatsoever."

Citing that pursuant to the provisions of the New York consent decree, the action in the Schine case was dropped against five major distributors, McKay's affidavit said: "I submit that the dismissal of the complaint against the same five major distributors which joined in the consent decree was likewise in pursuance of the agreements and understandings made with the plaintiff (the Government) respecting the consent decree. This fact was admitted by the counsel for the plaintiff.

"Under the circumstances it is readily apparent that the 'Schine defendants' now stand in an entirely different position with regard to the 'non-defendant distributors' than they were in the original complaint."

Merchants Show Films

WEST BRANCH, Ia., May 20.—Merchants plan to sponsor band concerts and free films this Summer, starting June 4.

Fitzgibbons Makes Personnel Shifts In F. P. Canadian

TORONTO, May 20.—Morris Stein, former district manager here of Famous Players Canadian Corp., has been placed in charge of all of the company's theatres in Eastern Canada with the exception of those in Montreal, J. J. Fitzgibbons, president, announced today.

Jack Arthur was appointed supervisor for Western and Northern Ontario; and Robert Roddick supervisor of the Maritime Provinces, both under Stein.

Ed Zorn of Winnipeg has been appointed general manager for the Middle West, with Frank Kershaw and Don Gauld as supervisors under him. Larry Bearg of Vancouver has been named general manager for British Columbia, and C. S. Neville and Frank Gow will be associated with him there.

Named Purchasing Heads

Ben Whitham of the home office here has been made manager of the combined purchasing, maintenance and construction department, and Victor Armand will hold a similar position in the Western division at Winnipeg.

Angus McCunn and W. E. Kerr have been elected assistant treasurers under R. W. Bolstad, vice-president and treasurer, and L. G. Geering has been elected assistant secretary and general auditor under N. G. Barrow, secretary.

Ben Geldsaler has been placed in charge of film booking, and Ralph Dale has been named assistant manager of the booking department. James R. Nairn will continue as director of advertising, and Clair Appel as associate director. R. G. Darby heads the insurance department and C. Dentelbeck is supervisor of projection on the home office staff.

The company's policy will be to promote employes who earn recognition, Fitzgibbon said, and added, "no other important changes are contemplated."

Des Moines Session Is Held by Tri-States

DES MOINES, May 20.—A. H. Blank, president of Tri-States Theatres, and G. Ralph Branton, general manager, presided at a two-day meeting of Tri-States executive and theatre managers at the Hotel Fort, Des Moines, yesterday and today.

Theatre policies for the coming season, particularly in regard to operations under the consent decree, were the main subjects discussed. Exchange managers, civic officials, circuit executives and Tri-States managers were guests of Tri-States executives at a banquet last night.

Claude F. Lee, Paramount Congressional contact man, as chief banquet speaker, said the industry had failed to do as good a public relations job as other industries, which explains its vulnerability. Other banquet guests last night were: M. A. Levy, 20th Century-Fox district manager, Minneapolis; R. C. Li Beau, Kansas City Paramount district manager; James Winn, Warner Kansas City district manager; Manny Brown, Paramount district manager at Denver; Al Taylor of Omaha, and all Omaha exchange managers.

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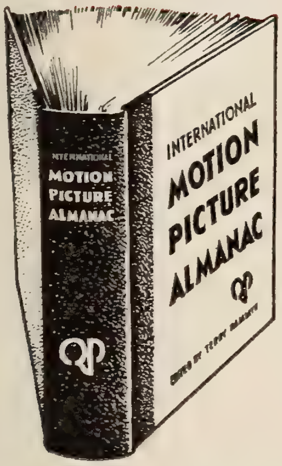
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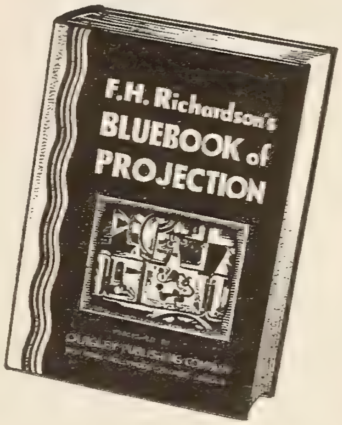
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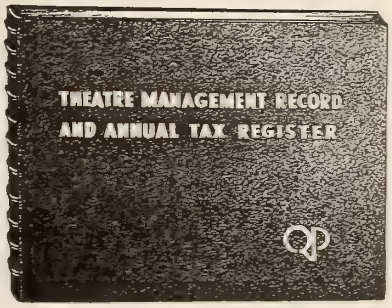
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A practical treatise devoted to all the diverse elements of theatre air-conditioning and its operation, including codes and ordinances regulating installation. An indispensable manual that all theatremen will welcome. .... **$4.00** POSTPAID

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House Bill Would Tax Radio Stations 10 to 20% of Gross

WASHINGTON, May 20.—The opening gun in an effort to tax broadcasting stations was fired today with the presentation of a proposed bill in the House by Rep. Lawrence J. Connery of Massachusetts, under which radio stations would be taxed from 10 to 20 per cent of their gross income.

Connery's bill provides a 10 per cent tax on gross incomes of stations with revenues between $150,000 and $250,000 annually; 15 per cent on stations with income between $250,000 and $500,000, and 20 per cent on stations with income of $500,000 or more.

There were a number of tentative suggestions made at the time the new revenue bill was considered that it include a levy on broadcasting, but this is the first definite effort to impose one.

The Connery measure has been referred to the Ways and Means Committee for consideration in drafting the new tax program.

FCC Hearings Are Set for Next Month

WASHINGTON, May 20.—The FCC will hold hearings June 25 on the applications of Stations KDRO, Sedalia, Mo., for change of frequency from 1,490 to 800 kilocycles and increase of power from 250 to 1,000 watts, with change of time from unlimited to day; WTNJ, Trenton, N. J., for change of frequency from 1,280 to 1,230 kilocycles, increase of time from sharing to unlimited and increase of power from 500 to 1,000 watts; and WDAS, Philadelphia, for change of frequency from 1,400 to 1,260 kilocycles and increase of power from 250 watts to 1,000 watts day, 5,000 watts night.

A hearing was set for June 27 on the application of the Parkersburg Sentinel Co. for a new 1,310-kilocycle, 250-watt station at Parkersburg, W. Va.

Applications received at the commission included requests for construction permits from the Western Radio Corp., for a new 1,240-kilocycle, 250-watt station at Pendleton, Ore., and Herman Radner for a new 680-kilocycle, 1,000-watt, daytime station at Dearborn, Mich., and a petition from Station KMAC, San Antonio, Tex., for change of frequency from 1,400 to 1,240 kilocycles and extension of time from sharing to unlimited.

Canadian Winners In Contest Named

MONTREAL, May 20.—Canadian winners in the recent Borden-RKO contest on the film, "Little Men," have been disclosed here. As was reported earlier, Thomas Cleary of Consolidated Theatres here, took first prize.

Second prize went to George Davie, Shea's Theatre, Toronto; others to William Novak, Gaiety, Winnipeg; Gordon Carson, Royal, Fort William, Ont.; Les Pugfley, Orpheum, Moose Jaw, Sask.; A. W. Shackilford, Roxy, Lethbridge, Alta; Stanley Andrews, Guelph, Ont.; R. W. Martin, Columbia, St. Thomas, Ont.; Harry F. Wilson, Regent, Brockville, Ont.

Off the Antenna

A ROUNDTABLE discussion of the most effective methods of putting a charity program on the air will take place this afternoon at WOR offices. About 100 members of the Social Workers Publicity Council will meet at the station, hear recordings of outstanding charity appeals previously broadcast and decide on the merits of the various presentations. Elliott Cohen of the Council, Jerry Danzig, WOR publicity head, and Dave Driscoll, special events director, will handle the session.

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Purely Personal: *E. P. H. James, NBC-Blue sales promotion manager, returned to his desk yesterday after being a weekend patient at the New York Hospital. . . . Warner Hall has joined the WOR sales department. . . . Maj. Gen. James G. Harbord, RCA board chairman, will be guest of honor at commencement exercises at Kansas State Agricultural College May 24-26. . . . Wallace Walker, Mutual statistician, last week won the Connecticut Outdoor Fencing Championship. . . . Roger Forster, formerly with NBC, WAIR, Winston-Salem, and WPTF, Raleigh, has joined WNEW as announcer. . . . Al Stephan, WCPO, Cincinnati, sportscaster has joined the station's sales staff. . . . Gunnar O. Wiig, of WHEC, Rochester, has been elected first vice-president of the Rochester Advertising Club. . . . Noel B. Gerson, talent head for WGN, Chicago, has been called up for Army duty.*

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Dorothy Deere, of the Balaban & Katz theatre circuit publicity staff, has the first regularly scheduled weekly television program in the Midwest. She conducts interviews of visiting celebrities at the B. & K. television station, W9XBK, Chicago.

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Program News: *General Mills has renewed "Light of the World," "Mystery Man," "Valiant Lady" and "Arnold Grimm's Daughter," all for 15-minute periods between 2 and 3 P.M. Mondays through Fridays over NBC-Red. Effective June 2, the contract is for 52 weeks. . . . "Lum and Abner" will be sponsored by Miles Laboratories over seven NBC-Red Pacific stations beginning Monday. The program will be heard Monday, Tuesday, Thursday and Friday, 7:15-7:30 P.M. PST. . . . John B. Kennedy, WNEW commentator, has a second sponsor, I. Lewis Cigar Co., for the Thursday evening broadcast. Crawford Clothes now sponsors Kennedy on Wednesday and Friday. . . . Major Bowes' "Family Hour," heard for 965 consecutive weeks, will sign off for the Summer after the June 1 program on CBS. His "Amateur Hour" will continue.*

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In Philadelphia: Chris MacDonald is leaving WTEL to join the announcing staff of WSNJ, Bridgeton, N. J. . . . Arnold McDonald of the WTEL announcing staff has been drafted. . . . Ruth Lafferty, assistant to Leon Levy, WCAU president, has been named personnel manager of the station. . . . Allen Eckman has been added to the RCA Manufacturing publicity staff in Camden, N. J.

Equity Approves Sunday Extension

Actors Equity yesterday approved extension of Sunday legitimate stage performances in New York State for an additional year from June 1. The union's council adopted the recommendation of a special committee composed of Alfred Harding, Maida Reade and John Alexander who found that increased business as the result of Sunday performances had made it possible for certain shows to continue when they normally would have closed.

This, in turn, created additional employment for performers, it was pointed out. Specifically cited was the case of "Tobacco Road" which had showed steadily declining grosses for five weeks and was about to close but Sunday performances permitted it to continue. No other instance of such a marked upturn was found, but four other plays were said to have had declining grosses which rose immediately after the start of Sunday performances.

Equity gave the extension on condition that all other unions would apply the weekday scale on Sundays.

Managing Camp Theatres

Ken Grimes, former manager of the Warner Theatre, Erie, Pa., is manager of the Army theatres at Indiantown Gap Camp, Pa. Louis Stellute, formerly of the Hollywood, Pittsburgh, is managing the theatre at Camp Croft, S. C.

Name Arbitrators On N. J. Complaints

Robert A. Bruce, attorney, was appointed arbitrator of the clearance complaint of the Colony Theatre, Sayreville, N. J., and William E. Stevenson, attorney, was named arbitrator of the clearance complaint of the Temple, Union City, N. J., yesterday. Hearing dates have not been set yet.

Time Allowed for Albany Case Briefs

ALBANY, May 20.—Arbitrator Morton J. Hall has given counsel for Alex Papayanakos until June 12 to file briefs on the clearance complaints of the American Theatre, Canton, N. Y., against Warners and RKO, and has given counsel for the companies until June 19 for reply briefs.

More Towns in Pa. Adopt Daylight Time

SCRANTON, PA., May 20.—Despite a legal ruling by this city's solicitor that daylight saving time is illegal in Pennsylvania, a few more communities have adopted the Summer time. They include East Mauch Chunk and Mauch Chunk, which followed the nearby towns of Lehighton, Palmerton, Tamaqua and Weissport.

After the borough council of Montrose ruled it had no authority "to take any action" regarding daylight saving time, Montrose merchants adopted the new schedule.

Producers Name Camp Talent Unit

Hollywood, May 20. — The Motion Picture Production Defense Committee last night named a subcommittee on talent and camp recreation which will handle requests for talent appearances in Army and Navy camps.

Members of the subcommittee are: Edward Arnold, chairman; Kenneth Thomson, Sheridan Gibney, Bert Allenberg, Abe Lastfogel, Charles Feldman, Frank Vincent and Adrian McCalman, secretary. Allenberg, Vincent, Lastfogel and Feldman were also named to the main committee as representatives of the Artists Managers Guild.

Stevens President Of Directors' Guild

HOLLYWOOD, May 20.—George Stevens last night was named president of the Screen Directors Guild at the organization's annual dinner meeting.

Ernst Lubitsch was renamed first vice-president. Other officers elected are: Norman Taurog, second vice-president; William A. Seiter, secretary, and Tay Garnett, treasurer.

Frank Capra who retired after two years as president of the organization was made an honorary life member.

The new administration will step immediately into contract negotiations with producers. The SDG is seeking an annual revision of its contract and has presented new demands, including minimum salaries for directors.

S. W. G. Rejects New Producer Proposal

HOLLYWOOD, May 20.—The Screen Writers Guild last night voted to reject the counter proposals of producers' representatives and instructed its negotiating committee to make another attempt to obtain a contract with producers based on its original demands.

A strike vote will be called if the next meeting is unsuccessful, the Guild said.

The SWG demands include minimum salary of $150 weekly for writers with one year's experience, whereas the producers countered with offers of $50 weekly for writers in that classification, $75 for those with two years' experience and $100 minimum after three years. Producers also are insisting on contracts of more than a year's duration; have offered an 80 per cent guild shop, and have refused to agree to permit writers to develop their own material while on layoffs.

It is expected that the SWG negotiating committee, headed by Sheridan Gibney, SWG president, will meet with producer representatives again within a week.

Deny Plea of W. E.

The Appellate Division of the N. Y. Supreme Court has denied an application of Western Electric Co. for leave to appeal to the Court of Appeals from denial of its application to dismiss the complaint of Samuel I. Posen in his action against Universal and others.

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VOL. 49. NO. 100 NEW YORK, U. S. A., THURSDAY, MAY 22, 1941 TEN CENTS

Telecasting to Start with 30 Hours Weekly

CBS, DuMont Ready; NBC Still Undecided

With the July 1 starting date for home television on a commercial basis only six weeks away, it became known yesterday that CBS and DuMont will be ready to go on the air with 15 hours each of program material at or near the starting date.

DuMont earlier this week started telecasting with its new 1,000-watt transmitter for sight and sound. The visual signal is transmitted with an effective wattage of 4,000 while the aural signal is stepped up to 2,000 watts, it was said. CBS has not yet been on the air but will be ready in time, it was stated.

Meanwhile NBC, which is the only station now transmitting experimentally, still is considering what to do about commercial television. Company

(*Continued on page 8*)

John V. Smith Dies; Funeral Saturday

John Vincent (Jack) Smith, drama editor of the New York *Journal-American,* one of the best known newspapermen in the United States, died unexpectedly yesterday morning after being rushed to the Medical Center. He was 56 years old.

Smith had been associated with the Hearst newspapers in New York for 43 years, starting originally as an office boy for the New York *American* at the age of 13.

Funeral services will be held in St. Catherine of Genoa Church, 153rd St. and Amsterdam Ave., Manhattan, on

(*Continued on page 5*)

President of N. O. Music Union Dies

New Orleans, May 21.—Gioacchimo Pepitone, 71, president of the musicians union here, died suddenly today. He was an ardent supporter of the New Orleans Symphony Orchestra. A native of Poggioreale, Italy, he came here many years ago. Survivors include his widow, the former Mary Hannon, two brothers and two sisters. Funeral services will be held at 3 P. M. tomorrow, with interment in Metairie cemetery.

Appeals Board to Decide First Case Without Hearing

The national arbitration appeals board will decide its first and only case to date without holding a hearing, the board decided yesterday.

The case is that of Landis Brothers' Ken Theatre, Chicago, on clearance and run, against Paramount, RKO and 20th Century-Fox. The hearing on the complaint was held at the local board in Chicago, March 20, and was dismissed for lack of jurisdiction by Charles P. Megan, arbitrator, on March 28.

Megan held that the relief sought by the Ken cannot be given under the consent decree until after Sept. 1. The plaintiff appealed to the national board and final appeal briefs were filed early this month by both sides. A request for an oral hearing before the appeals

(*Continued on page 6*)

Studio Wage Ruling Due Within Week

Rulings by the Wage and Hour Division on the classification and reclassification of studio workers are expected within the next week as a result of meetings held in Washington this week with producer and labor representatives.

Attending the meeting with Merle Vincent, examiner for the Wage and

(*Continued on page 5*)

Eastman Employes Get 10% Increase

Rochester, May 21.—Wage and salary increases of about 10 per cent for all employes earning up to $3,000 annually were announced today by Eastman Kodak Co. here. The increases, which are effective next week, will add about $4,000,000 to the annual payroll, the announcement said. Most of those benefiting are located here, where 19,000 are on the payroll.

Mich. Anti-5 Measure Would Hit 'Little 3'

The Little Three—Columbia, Universal and United Artists—would be forced to comply with the sales provisions of the New York case consent decree as to trade showings and unit selling in Michigan should the amended anti-blocks-of-five bill be made law, industry attorneys believe.

This, despite the fact that the Little Three are not parties to the decree. Republic, Monogram and all other companies would be similarly affected.

Thus, the Michigan bill, originally introduced as legislation to nullify the

(*Continued on page 6*)

Goldenson Asks Engineers For 'Sock' to Help Trade

Leonard H. Goldenson, in charge of theatre operations for Paramount, last night urged the Society of Motion Picture Engineers to "come forth with something new—something startling—something with which we can once again shock the public" into attending film theatres.

Addressing the Society's Atlantic Coast Section at the Hotel Pennsylvania, he said: "Maybe we are reaching the point today that the industry reached in 1927 and we need that sock, that entertainment curiosity, that came with the advent of sound and in that connection maybe once again we must come back to you to try to give us that sock."

Goldenson suggested an annual public exhibition of technical advances in the theatre, comparable to the annual automobile shows, to ballyhoo im-

(*Continued on page 6*)

Mexico Tightening Censor Restrictions

Mexico City, May 21.—All foreign pictures that in any way slight Mexico are forbidden exhibition in this country under a measure presented by Felipe Gregorio Castillo, chief of the Federal Censoring and Supervision Department, and approved by the Ministry of the Interior.

This ban is on all such pictures, even though the offending sequences are deleted from them before they are shipped to Mexico. All Mexican consuls have orders from the Ministry of Foreign Relations to make it their business to see films that are either directly or indirectly concerned with Mexico and to report immediately upon these films to their Government.

M-G-M Will Handle Own Canada Sales

Remain With Regal Films And Same Management

Toronto, May 21.—M-G-M will take over distribution of its own films in Canada on June 1 under the same management, with Henry L. Nathanson, general manager of Regal Films, Ltd., continuing in charge, it was reported here today.

It is expected that the corporate structure of Regal Films will be revised in line with the withdrawal of N. L. Nathanson as president of Famous Players Canadian, controlled by Paramount.

Paramount, under the new setup, will no longer be interested in Nathanson's half of Regal Films.

Henry L. Nathanson is now in New York concluding arrangements for a new deal with M-G-M.

Regal Films has been distributing M-G-M product in the Dominion for many years. Henry L. Nathanson has been in charge of the company since 1918.

Illinois Allied Votes Against Double Bills

Chicago, May 21.—Ninety-five per cent of the members present at a meeting of Illinois Allied here today voted in favor of abolishing double features on condition that the large circuits agreed to do the same. Those supporting the proposal represented 150 theatres. Jack Kirsch presided.

The subject will be discussed further at the next meeting of the organization in two weeks.

A resolution calling upon distributors to refrain from servicing drive-in theatres with the newest releases was adopted. In addition, legislation, taxes and the effects of daylight saving time on attendance were discussed.

In Today's Issue

Three reviews: "Blood and Sand," "The Big Boss," Page 6; "Million Dollar Baby", Page 5. Short subject reviews, key city grosses, Page 7. Senate starts FCC hearing May 31, Page 8.

Coast Flashes

Hollywood, May 21

A MUTUALLY satisfactory settlement of the press preview dispute, it was forecast today, will be reached at a meeting tomorrow between Y. Frank Freeman, president of the Association of M. P. Producers and studio publicity directors and the correspondents' group headed by Douglas Churchill. Spokesmen for both sides today expressed confidence the conferees will reach an understanding on the correspondents' demand for earlier previews.

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Universal today disclosed plans for a $160,000 studio modernization program to start immediately. Included will be construction of a two-story building for writers and directors, repaving of the lot, overhauling of mechanical equipment and additions to the property department.

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Mary Lee, 16, will have four starring vehicles next season instead of supporting roles in Gene Autry westerns, which she has had heretofore. The stories slated are "O, Susannah," "Sierra Sue," "Peck's Bad Girl" and "Pride of the Circus."

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Arthur Greenblatt, Producers Releasing general sales manager, is due tomorrow on a national tour of exchanges. He will discuss the new season's program with George Batcheller and Sigmund Neufeld, producers.

3 Summer Theatres Ready Near Newark

NEWARK, N. J., May 21.—Three Summer theatres will be operated in and around Newark during the next few months. First to open will be the Adams, Newark, where "White Cargo" will be presented Friday with Ann Corio as star. The Maplewood Theatre, former film house, will begin June 2, with Cheryl Crawford and John Wildberg presenting Helen Hayes and Maurice Evans in "Twelfth Night." The Paper Mill Playhouse will open June 23 with C. Aubrey Smith starring in John Galsworthy's "Old English."

Selznick Will Head Coast China Relief

David O. Selznick has accepted appointment as chairman of the Hollywood United China Relief Committee, according to James G. Blaine, national campaign committee chairman. The drive seeks $5,000,000 for relief work in China.

Selznick has set the week of May 18-25, China Week, for the launching of the Hollywood campaign. He will direct a broadcast originating on the Coast, and featuring outstanding screen and radio personalities on a nationwide hookup.

British Study Reel Personnel Needs

LONDON, May 21.—The committee of the Ministry of Labor which met today to consider the data presented by the War Office relative to its requirements in manpower for the production of training and other films for the next year also gave consideration to the requirements in personnel of newsreel and short subject producers.

Personal Mention

HERMAN WOBBER is scheduled to arrive from the Coast today.

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S. BARRETT McCORMICK, RKO advertising and publicity director, plans to return here from the studio next week. DAVID STRUMPF, art director, is due from the Coast late this week.

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CHARLES SCHWARTZ, LOUIS FROHLICH and HERMAN FINKELSTEIN made a conference room yesterday of the terrace outside their office, 25 floors above Times Square, absorbing sunshine and breezes at the same time.

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SAMUEL J. EPSTEIN, assistant manager of the 20th Century-Fox contract department, will be given a bachelor dinner at the St. Moritz tomorrow, while GERTRUDE ORNSTEIN, the bride-to-be will be given a dinner at the Rainbow Room. They will be married May 29. MISS ORNSTEIN is secretary to EDWARD COLLINS, assistant to WILLIAM KUPPER, Western division manager.

ROBERT MOCHRIE, Eastern sales manager for RKO, left by plane last night for Indianapolis. He is expected back in a few days.

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A. E. MEYER, general sales manager of International Projector Corp., has left for the Coast, stopping off at National Theatre Supply Co. offices en route West.

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FRED GREENWAY, Palace, Hartford; WILLIAM REISINGER, Bijou, New Haven; JOSEPH ANSTEAD, Elm Street, Worcester; HARRY ROSE, Globe, Bridgeport; MORRIS ROSENTHAL, Majestic, Bridgeport; EDWARD FITZPATRICK, Poli, Waterbury, are among Loew-Poli New England managers vacationing this month and next.

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ANDREW L. GOLD, Movietone News cameraman, now in the Army is stationed at Fort Monmouth, N. J. He is a son of AL GOLD of the newsreel

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AL SHERMAN has completed a screen story based on his recently acquired letters of Joseph Pulitzer, and a major company now is considering it.

25 From Canadian Circuit in Service

TORONTO, May 21.—With more than 25 employes having joined the colors for active service, the Premier Operating Corp. is finding it necessary to make a number of changes in the personnel of the 38 houses which constitute what is known as the Allen circuit.

Jack Silverthorne, manager of the Strand at Tillsonburg, has been appointed manager of the Westdale, Hamilton, Ont., succeeding David Rubin, now in the Canadian Navy. Jack Musclow of the two Allen theatres in Kitchener has been promoted to be manager of the house at Tillsonburg.

Albert Glazer, manager of a theatre in Western Ontario, is also a Flying Officer with the Royal Canadian Air Force. Glazer is the son of Sam Glazer of Toronto, general manager of United Artists Corp., Ltd. Gurston Allen of the Allen home office here has become a lieutenant and is attached to the Headquarters Staff of Military District No. 2.

Little Progress on SDG-Producer Pact

HOLLYWOOD, May 21.—Little progress was reported following a meeting last night of the Screen Directors Guild negotiating committee with producer representatives over the Guild's demands at the annual reopening of its contract for bargaining.

Both groups decided to report back to their organizations to sound out the possibilities for compromise, following extended discussion of the Guild's principal demand, involving minimum salaries for directors.

Rogers Represents Capra

Budd Rogers has been appointed to represent Frank Capra Productions, Inc., in the foreign distribution of the Capra-Riskin film, "Meet John Doe," distributed by Warners. Lowell Calvert represents Capra on domestic distribution.

Name Winners of Tri-States Contest

DES MOINES, May 21.—Winners in Tri-States Theatre Corp., theatre managers' Holy Week and Easter Week drive were announced and prizes awarded by A. H. Blank, president of the organization at the banquet for the managers. Winners in A theatres were James Pickett, Rivoli, Hastings, Neb., first; Francis Gillon, LeClair, Moline, Ill., second, and Henry Plude, Rocket, Rock Island, Ill., third. B theatre winners were Bruse Shelton, Ingersoll, Des Moines; Dorman Hundling, Rialto, Newton, Ia., and Lewis Nutzman, Strand, Hastings, Neb.

150 Are Expected at Cleveland Meeting

CLEVELAND, May 21.—About 150 exhibitors are expected to attend an open meeting at the Cleveland Hotel here Tuesday in conjunction with the national board of Allied States, which will meet on Monday. The exhibitor session will be a forum to discuss and exchange ideas on topics which may be suggested at the board meeting. Calls for the meeting have been issued by the ITO of Ohio and the Cleveland M. P. Exhibitors Association.

Day New 20th-Fox Mexico City Head

Stanley J. Day, who has completed a special sales research assignment for 20th Century-Fox in Chile and Peru, has been assigned to Mexico City as manager of the branch there under Gustav Mohme, manager of Mexico.

Howard Keast, formerly a salesman, has been made manager for the company at Perth, Australia.

Behrle, Actor, Dies

HOLLYWOOD, May 21.—Fred F. Behrle, 50, actor, died yesterday of a heart attack while working on a film at the Columbia Studio ranch.

Suit on Gloria Jean Fees Is Dismissed

Justice Bernard L. Shientag yesterday dismissed the suit of Emil Neugebauer for $200,000 alleged commissions against Nate J. Blumberg and Lawrence Waterman, Blumberg's secretary. Neugebauer had claimed that he discovered Gloria Jean, and that in October, 1938, he made a deal to turn her over to Univer[illegible] for agreed commissions. The court ruled that the plaintiff could not hold the defendants personally on the alleged contract.

Pascal Investigates Toronto Production

Gabriel Pascal, producer of "Major Barbara," and others are scheduled to leave for Toronto today to investigate the possibilties of "reopening the Revina studios in Toronto which have been inactive for the past five years," it was announced yesterday.

In addition to Pascal, it was announced the party will include Harry D. Buckley, United Artists vice-president; Martin Paggi, Pascal's sound technician; Charles Ross, lighting specialist, and Arthur Gottlieb and Jack Goetz, Du-Art Film Laboratories executives.

Pascal said if production were possible in Toronto, he plans to make three films a year.

Pascal's Intentions Unknown in Toronto

TORONTO, May 21.—Nothing is known here of Gabriel Pascal's reported trip to Toronto to look into production facilities. There is no building available for a studio here, and construction of a studio probably would be barred by the Dominion Government as a war measure. A former skating rink once used for production has been dismantled.

N. L. Nathanson and Paul Nathanson are now in New York, and it is reported here they may confer with Pascal or his representative there.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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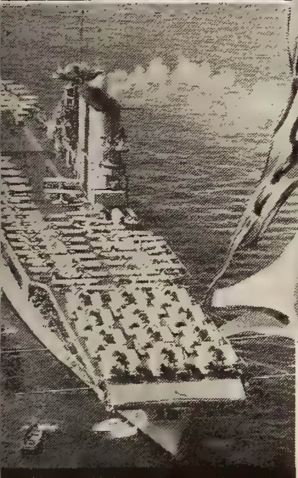
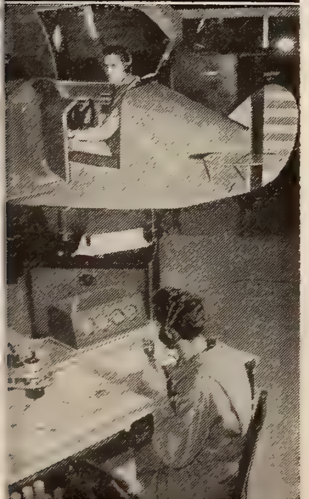
d Pat—The Screen's
piest, Scrappiest Pals!



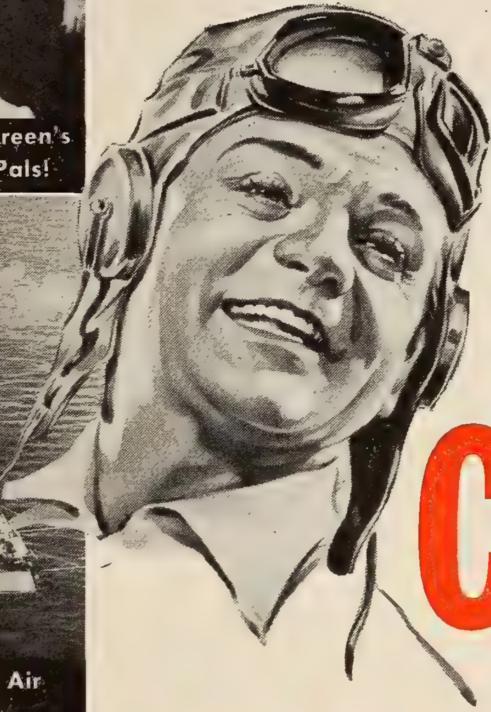
le Sam's Floating Air
Might! Thrilling!

. . And Pat Alone Three
Miles In The Air!



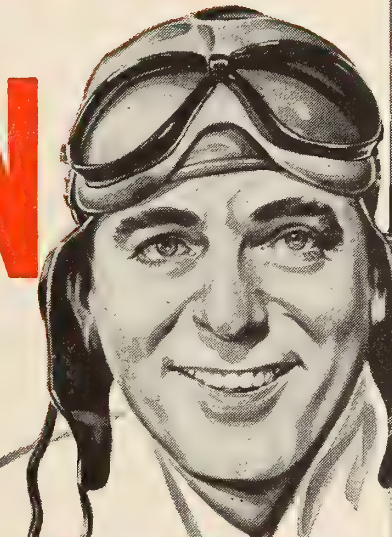
nk Trainer — teaching

BIGGER, BETTER, MORE TIMELY... NOW!



CAGNEY

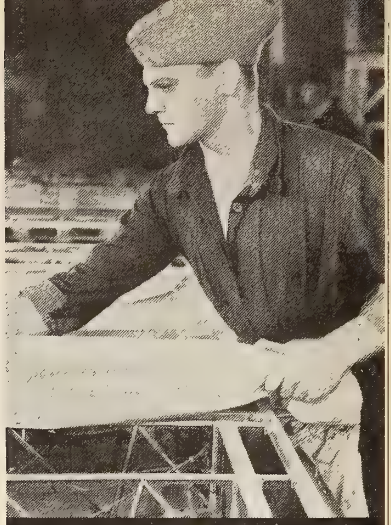
O'BRIEN



in the re-release of the
hit Warners made to top
"Here Comes The Navy"

"DEVIL DOGS OF THE AIR"

with
MARGARET LINDSAY • FRANK McHUGH
Directed by LLOYD BACON
Screen Play by Malcolm Stuart Boylan & Earl Baldwin • Based on the Story by John Monk Saunders
A Warner Bros.-First National Picture



Folding 'Chutes Is Serious
Business Any Time . . .

15
10TG
U.S. MARINES

... Particularly When Your
Life May Depend On It!

Crash! Which Eagle's Wings
Are Clipped This Time?

NEW PRINTS!
NEW ACCESSORIES!
NEW BUSINESS!

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
Apr. 25	Penny Serenade (C) 2002 *Cary Grant Irene Dunne*	Ziegfeld Girl 130 *Stewart-Lamarr Turner-Garland*	Power Dive (D) 4026 *Richard Arlen Jean Parker*	Lady From Louisiana (D) 014 *Wayne-Munson*	They Met in Argentina (M) 128 *Maureen O'Hara*	Mail Train (D) 139 *Alastair Sim*	That Uncertain Feeling (C) *Merle Oberon Melvyn Douglas*	Flame of New Orleans (D) 5011 *Marlene Dietrich*	The Wagons Roll at Night (D) 560 *Bogart-Sidney*	South of Panama *Roger Pryor* 110 (PRC)
May 2	The Big Boss (D) 2037 They Dare Not Love (D) 2011	People vs. Dr. Kildare (D) 133 *Ayres-Day*	Reaching for the Sun (D) 4027 *Joel McCrea Ellen Drew*	The Singing Hill (O) 046 *Gene Autry Smiley Burnette*				Black Cat (D) 5028 *Basil Rathbone Hugh Herbert*	Thieves Fall Out (C) 516 *Eddie Albert Joan Leslie*	Roar of the Press *Jean Parker* (Mono.)
May 9	Her First Beau (C) 2013 *Jane Withers Jackie Cooper*	A Woman's Face (D) 136 *Joan Crawford Melvyn Douglas*		Country Fair (C) 015 Sheriff of Tombstone (O) 056		Great American Broadcast (M) 140 *Alice Faye Oakie-Payne*			Affectionately Yours (C) *Merle Oberon Dennis Morgan*	The Pioneers House of Mystery (Mono.)
May 16	She Knew All the Answers (C) 2008 *Joan Bennett*	I'll Wait for You (D) 135 *Marsha Hunt Robt. Sterling*	There's Magic in Music (M) 4021 *Allan Jones Susan Foster*	The Gay Vagabond (C) 022 *Roscoe Karns*		Cowboy and the Blonde (O) 141 *Mary B. Hughes G. Montgomery*	Adventures of Tom Sawyer (D) Prisoner of Zenda (D) (Re-issues)		Singapore Woman (D) 563 *Brenda Marshall David Bruce*	King of the Zombies (Mono.) Lone Rider in Ghost Town 165 (PRC)
May 23	Naval Academy (D) 2020 *F. Bartholomew*	Love Crazy (C) 134 *Myrna Loy Wm. Powell*	Pirates on Horseback (O) 4054 *Boyd-Hayden*	Desert Bandit (O) 077 *Don Berry Lynn Merrick*	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) 142 *John Beal*		Too Many Blondes (M) *Rudy Vallee Helen Parrish*	The Nurse's Secret (D) 523 *Lee Patrick Regis Toomey*	The Redhead (Mono.) Emergency Landing 109 (PRC)
May 30	Adventure in Washington (D) *Herbert Marshall Virginia Bruce*	Billy the Kid (O) *Robert Taylor Mary Howard*	I Wanted Wings (D) 4028 *Ray Milland Holden-Morris*	Saddlemates (O) 067 *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* The Saint's Vacation (D)	Blood and Sand (D) 143 *Tyrone Power Linda Darnell*		In the Navy (C) *Bud Abbott Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane Jeffrey Lynn*	Silver Stallion (Mono.) Paper Bullets 125 (PRC)
June 6		The Get-Away (D) *Robt. Sterling C. Winniger*		Angels With Broken Wings (D) 016 *Binnie Barnes*	The Reluctant Dragon (Disney) 191 Cyclone on Horseback (O)	For Beauty's Sake (C) 144 *Ned Sparks Marjorie Weaver*		Men of the Timberlands (D) 5055 *Arlen-Devine*	Devil Dogs of the Air (D) (Re-issue) Shining Victory (D)	Wranglers' Roost (Mono.) Texas Marshal 156 (PRC)
June 13	Time Out for Rhythm (M) *Rudy Vallee Glen Gray*	The Big Store (C) *Marx Bros.*	One Night in Lisbon (D) *F. MacMurray M. Carroll*		Bring 'Em Back Alive 131 *Frank Buck*	Bride Wore Crutches (C) 112 *Lynne Roberts*	Broadway Limited (C) *Vic. McLaglen M. Woodworth*	Tight Shoes (D) *Binnie Barnes Brod. Crawford*	The Gentle People (D) *John Garfield Ida Lupino*	The Gang's All Here (Mono.) Criminals Within 111 (PRC)
June 20	Hands Across the Rockies (O) Richest Man in Town (C)		West Point Widow (D) *Anne Shirley Richard Carlson*	Nevada City (O) *Roy Rogers Gabby Hayes*	They Meet Again (D) 134 *Jean Hersholt Dorothy Lovett*	Man Hunt (D) 146 *Walter Pidgeon Joan Bennett*		Law of the Range (O) San Antonio Rose (O)	Passage from Hong Kong (D) *Keith Douglas*	Black Beauty (Mono.)
June 27	Sweetheart of the Campus (M) Medico of Painted Springs (O)	Blossoms in the Dust (D) *Greer Garson Walter Pidgeon*	Parson of Panamint (D) *Charles Ruggles Ellen Drew*			A Very Young Lady (D) 145 *Jane Withers Nancy Kelly*		Hit the Road (D) *Dead End Kids Tough Guys*	Underground (D) *Jeffrey Lynn Mona Maris*	Bowery Blitzkrieg Wanderer of the West (Mono.)
July 4	I Was a Prisoner on Devil's Island (D)		Caught in the Draft (C) *Bob Hope Dorothy Lamour*			Moon Over Miami (M) 147 *Don Ameche Betty Grable*		Sandy Steps Out (C) *Baby Sandy E. E. Horton*		Gambling Daughters (PRC)
July 11						Accent on Love (D) 148 *Cobina Wright G. Montgomery*		Hello Sucker (C) *Hugh Herbert Tom Brown*		

YOU KNOW
THEY'RE GOOD
because every one is
BOX OFFICE
TESTED!

May 9
Popeye the Sailor
'POPEYE MEETS RIP VAN WINKLE'

May 16
Fascinating Journeys
'INDIAN DURBAR'
(Technicolor)

May 23
Benchley Comedy
'THE FORGOTTEN MAN'

May 23
Grantland Rice Sportlight
'ON THE SPOT'

PARAMOUNT
SHORTS

More Changes Made In Setup of F.P.C.

TORONTO, May 21.—The resignations of E. V. Armstrong as manager of Theatre Operating Service for Hanson Theatres and A. E. Sanderson as comptroller of Hanson Theatres, which was recently absorbed by Famous Players Canadian, were received today.

Sanderson will join Odeon Theatres, in which Oscar Hanson now is associated with Paul Nathanson.

In addition, notice was given of the dissolution of Theatre Operating Service, Ltd., a Hanson Theatres subsidiary, which handled equipment and supplies. Its functions will be absorbed by General Theatres Supply Co., which is linked with FPC.

At the managers' meeting of FPC here today, J. J. Fitzgibbons, president, announced that a convention of the organization will be held here in August, in addition to the meetings already announced for FPC divisions here and in the West during the next few weeks. Fitzgibbons stated that the employes' group insurance plan and bonus system would be continued without change.

He also announced the appointment of J. A. Troyer as manager of the FPC home office statistical department.

The new Odeon circuit has acquired the Nolan Amusement Company's Nolan and Roxy at Ottawa, and it is reported here that Nathanson interests have offered to buy the Centre in downtown Ottawa from Don Stapleton, who has operated it for years.

Feature Review

"Million Dollar Baby"

(Warners)

HERE is a bright, snappy, thoroughly entertaining picture, right for any audience in any location, notable as well for cracking good performance all along the line, and crackling, witty dialogue which helps to keep the yarn spinning at top speed, virtually from first to last.

The story is implausible, it is true, but so entertainingly is it presented, that the audience will not have the slightest interest in the plausibility or lack of it.

Priscilla Lane is well-nigh perfect as the department store clerk who is presented a million dollars by May Robson, fabulously wealthy spinster who thus makes amends for a wrong done to the girl's grandfather by her own father in the making of his fortune years before. Miss Robson is splendid, as are Jeffrey Lynn as the young lawyer who handles the transaction and falls in love with the girl, and Ronald Reagan, young composer who lives in the same boarding house with Miss Lane, and whose fiance he is. Likewise deserving of mention are Lee Patrick, Helen Westley, John Qualen and Richard Carle.

Curtis Bernhardt scores heavily with smart, effortless direction, concentrating on the humorous elements of his story, and always maintaining a high speed tempo. Key of the film, of course, is what happens to the girl when a million dollars suddenly lands in her lap. Her reactions when she carries the certified check to the bank and demands to be shown cash, at least $100,000, is a high spot of comedy. No less entertaining are the scenes in the boarding house and Lynn's pursuit of Miss Lane to tell her of her good fortune, while she thinks him a flirt. The dramatic element is provided in Reagan's refusal to marry Miss Lane and live on her money, complicated by Lynn's desire to marry her, the eventual return of Reagan, as Miss Lane at least attempts to give away her money, and the decision of Miss Robson to remain in the United States to stay, as a result of her experience with and finally her devotion to Miss Lane.

Running time, 100 minutes. "G."* CHARLES S. AARONSON

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*"G" denotes general classification.

95% of Stage Spots To Films in Mexico

Mexico City, May 21.—That pictures dominate Mexican entertainment is shown by an exhibitor survey disclosing that since 1930, when films made a definite pickup in this country, 95 per cent of the stage theatres then operating have been converted into film houses.

John V. Smith Dies; Funeral Saturday

(*Continued from page* 1)

Saturday. Burial will be in Calvary Cemetery, Queens.

Smith, who never married, is survived by two sisters, with whom he lived, Rose Mary Smith and Mrs. Katherine E. Bellew, a widow.

He was born in the Yorkville section of Manhattan, attended public schools and was a special student at Columbia University. He was best known as a reporter. He was correspondent for the *American* with Pershing's expedition into Mexico in 1914, and correspondent at Camp Mills, L. I., during the World War. In 1910, for a short period he was secretary to Charles H. Hyde, City Chamberlain. Also for a brief period he acted as purchasing agent for the *American.* Many of his articles as a reporter resulted in corrective measures in the city. In recent years he turned to writing of the theatre, and had a wide circle of acquaintances.

Studio Wage Ruling Due Within Week

(*Continued from page* 1)

Hour Board, who conducted the recent hearings in Hollywood, were Pat Casey, producers' labor representative; Louis Krouse, IATSE secretary-treasurer, and Eastern representative for George Browne, IA president, and a representative of Joseph Padway, AFL counsel and attorney for the IA.

The classifications have been taken under advisement by the Wage and Hour board since the Washington meeting and a prompt decision now is to be expected, it was said.

A ruling by the board will permit the immediate opening of the overdue negotiations on a new basic agreement between the producers and the studio international unions. The presence of IA representatives at the Washington meeting together with the recent reappointment of William Bioff as Browne's West Coast representative is being interpreted in industry labor quarters as definite indication that the IA will reenter the basic agreement after an absence of almost three years.

The reentry of the IA would mean the ending of local autonomy for the international's studio units.

Studio Unions Move For Central Group

HOLLYWOOD, May 21.—Preliminary steps toward the formation of a studio union and guild committee corresponding to the now defunct Hollywood Guild Council, the Conference of AFL Studio Unions and the Federated Motion Picture Crafts, were taken last night at a meeting here of representatives of 12 organizations with the board of directors of the Screen Writers Guild.

Aims of the committee presumably would be to exchange information on common problems such as collective bargaining and perhaps to aid the SWG in any eventuality in its current negotiations with producers.

None of the Guild and union representatives, however, had authority to act, but will report the proposal to create the central body to their respective organizations for further action.

Honor Gulf Oil Head For Relief Fund Aid

Jean Hersholt, president of the Motion Picture Relief Fund, yesterday presented to Col. J. Francis Drake, president of the Gulf Oil Corp., at the Hotel Ambassador, a silver plaque for "eminent achievement" in furthering the allied arts of motion pictures and radio.

Gulf Oil sponsors "Screen Guild Theatre" over CBS and has thus contributed $800,000 to the Fund. On the plaque were facsimiles of the signatures of Edward Arnold, president of the Screen Actors Guild; Frank Capra, Screen Directors Guild president; Sheridan Gibney, head of the Screen Writers Guild, and Y. Frank Freeman, Association of Motion Pictures Producers' president.

Not Closing RKO House

CINCINNATI, May 21.—RKO has altered its original plan to close the Family Theatre here on Saturday, and instead will continue the present double bill policy, changing three times weekly, instead of twice.

ANGELS WITH BROKEN WINGS

BINNIE BARNES • GILBERT ROLAND
MARY LEE
BILLY GILBERT • JANE FRAZEE • EDWARD NORRIS
KATHARINE ALEXANDER • LEO GORCEY • LOIS RANSON • LENI LYNN • MARILYN HARE
BERNARD VORHAUS, Director • Screen play by George Carlton Brown and Bradford Ropes • Original story by George Carlton Brown
A REPUBLIC PICTURE

JANE FRAZEE
She's an angel . . .

Mich. Anti-5 Measure Would Hit 'Little 3'

(*Continued from page* 1)

decree in Michigan insofar as the five consenting companies are concerned, could fail not only in that purpose but also could require the Little Three and others to adopt the decree's major provisions.

Observers here, however, are of the opinion that the Snow anti-decree bill has no chance of being enacted in its present form, since the amendment which defeats the original purpose of the bill never could have been adopted if the original measure had sufficient backing to insure its passage.

The amendment adopted by the Michigan House which defeats the decree purpose of the bill subjects the provision for full-line selling with a 20 per cent cancellation to the following stipulations: that the films to be licensed must be "trade shown and offered in blocks of not more than five, and otherwise subject to all provisions of any decrees of any court of competent jurisdiction regulating the practices of the licensing exhibitor."

The bill in its amended form was referred to a committee of the Michigan Senate yesterday and a prompt hearing on the measure is expected.

Argentina Making 50 Films Annually

Native film production in Argentina has increased to about 50 features annually from a pre-war average of less than 40, according to John Nathan, Paramount managing director for Argentina, Paraguay and Uruguay, who arrived in New York this week for a month's home office visit.

Nathan said the increased native production is absorbing the playing time formerly given to European films, largely British, German and French, which have been shut off by the war. Hollywood product has not lost ground because of the native production activity, and still commands 85 to 90 per cent of the playing time in the territory, he said.

Film and theatre business has remained constant in his territory since the beginning of the war, he reported, and admission prices at first class theatres remain at their old level despite the fact that the larger coast cities have suffered economically through severe losses of shipping due to the war. Theatre construction, too, is continuing at a normal pace, he said.

Cartoonists Gain Disney Fight Point

HOLLYWOOD, May 21.—The Screen Cartoonists Guild today won a minor victory in obtaining from Walt Disney Productions a tentative agreement on the dissolution of the Federation of Screen Cartoonists.

The hearing will reconvene tomorrow before James Paradise, NLRB trial examiner, at which time the union is expected to bring up charges that the new American Society of Cartoonists is also "company dominated."

Feature Reviews

"Blood and Sand"

(*20th Century-Fox*)

Hollywood, May 21

ONE of the strongest late Spring releases to come out of Hollywood in many a season, "Blood and Sand" brings to the screen a well nigh perfect blending of technical perfection and articulate, intense narration.

Based on the Ibanez novel, and produced in Technicolor by Darryl Zanuck with Robert Kane as associate, the picture captures the essence of its theme—the depiction of bull fighting in all its vivid excitement and elemental savagery.

Made once before with Rudolph Valentino in the leading role, the cast of this version includes Tyrone Power as the matador, Linda Darnell as the girl he marries, Rita Hayworth as the siren with whom he falls in love, Nazimova as his mother, and Anthony Quinn, J. Carrol Naish, John Carradine, Lynn Bari and Laird Cregar.

The story is unfolded in a forward surge which carries a young boy, son of a famous matador, onward and upward to the heights as "first man of Spain" in the bull ring. Rex Downing enacts the role of Power as a boy, whose life centers about the dream of following in his father's footsteps. He does, even to dying in the ring as his father had before him. Traveling from Seville to Madrid, then returning after some years to claim the girl he had always loved, his fame grows with his prowess, far outstripping his illiterate sensibilities.

It is when he is at the height of his career that he meets and is captivated by the notorious charms of the beauty portrayed by Miss Hayworth, in turn enraptured by the crude power and egotism of the matador. He loses her as he loses his wife and friends, his money and reputation. Only his mother remains, somber as always in the knowledge that her son's brief fame and fortune will pass as did that of her husband; full of pity for the lives which have twice taken her from the peak of wealth to the nadir of poverty.

Realizing at last the futility of an existence which can only end in his defeat, the matador goes out to give one final performance, after which he plans to return to the wife who still waits for him, and to renounce the ring. His performance is superb, bringing plaudits even from those who had mocked him, but ends in his death.

Of the many individual sequences which remain in mind after the film's close, several are calculated to bring comment from even the most hardened audience. These include shots of the bull ring extending throughout the story to the one which closes the film, of the "blood and sand" which lie beneath the scattered flowers thrown to the matador, and interior shots of both lay and Church subjects, done with striking effect.

Rouben Mamoulian's direction has capitalized on the action possibilities inherent in the tale, while never losing the mature overtone of cruelty marking the sport. The entire cast has responded to story and direction in a way which can only assure added value both to the star and the featured players in the future.

Running time, 125 minutes. "A."* W. S.

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* *"A" denotes adult classification.*

"The Big Boss"

(*Columbia*)

THIS is unpretentious material suitable for the neighborhood theatre. It concerns the careers of two brothers, one the honest and ambitious type who becomes Governor, and the other the power-wielding political boss.

The film runs along familiar lines so far as narrative is concerned but there is a distinguished sincerity about the performance of the players, particularly John Litel and Otto Kruger as the brothers, that makes it agreeable entertainment.

Effective support is given by Gloria Dixon, the reporter who maneuvers in and out of the Governor's office, by her colleague, Don Beddoe, and by others less conspicuously involved. The film opens when the brothers are boys. The story picks up years later with Litel a Senator and Kruger the crooked politician. Litel becomes Governor and eventually they clash, resulting in Kruger's downfall. Charles Barton directed.

Running time, 70 minutes. "G."*

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*"*G" denotes general classification.*

'Powers Models' to W. B.

HOLLYWOOD, May 21.—Warners today purchased "Powers Models" which it plans to make as a musical in Technicolor, starring Ann Sheridan.

Heads Newark Publicity

NEWARK, N. J., May 21.—Bernard Drexler has replaced Monroe Newell as publicity director of RKO Proctor's here.

Appeals Board to Decide First Case Without Hearing

(*Continued from page* 1)

board was made by the Ken, but the board decided yesterday that such a hearing is unnecessary and refused to order one. The appeal will be decided by the three-judge board from the record of the Chicago hearing and [illegible] appeal briefs filed by both sides. A decision is expected within the next two weeks.

Two New Complaints Filed in Washington

WASHINGTON, May 21.—Two new arbitration complaints were filed with the local board here today naming all five consenting companies. Abram F. Myers, chairman of the board and general counsel of Allied States, is named as attorney for the plaintiff in both cases.

The complaints, both brought by L. W. Lea of Danville, Va., are the fourth and fifth cases respectively of record here. The first is a "some run" complaint on behalf of his Lea Theatre, and the second a clearance complaint on behalf of his Schoolfield Theatre. In the latter complaint, three H. F. Kincey Circuit theatres and one S. W. Craver theatre are named as interested parties. The complaint states that the Schoolfield is required to play 74 to 120 days after first run.

First Los Angeles Hearing on Today

LOS ANGELES, May 21.—This area's first arbitration hearing opens here tomorrow with Herbert Cameron, senior attorney and examiner of the State Railroad Commission as the arbitrator. The case involves O. W. Lewis' Mission Playhouse at San Gabriel, seeking the establishment of clearance and zoning to protect the theatre's present status.

New Haven Hearing Postponed to Monday

NEW HAVEN, May 21.—Hearing of the local board's first case has been postponed to next Monday by Frank H. Wiggin, arbitrator. The case is a clearance complaint by the Forest, West Haven, against the five consenting companies and the Rivoli and West Haven.

Goldenson Asks for 'Sock' to Help Trade

(*Continued from page* 1)

provements in sound, color and patrons' comfort and to demonstrate to the public that there is always "something new." This, he suggested, would regularly renew interest in and appreciation of the motion picture theatre.

Goldenson raised the point "whethere we are overlooking a great bet in not more zealously institutionalizing our theatres and causing the public to realize what they are getting for a small amount of money."

He pointed out that other large amusement industries, notably bowling, have made great gains in recent years by using the exploitation methods of the film industry.

He paid tribute to the engineers for their contributions to the progress of the screen and house comforts.

Seattle Slow; 'Ziegfeld' at Fair $6,800

SEATTLE, May 21. — Another week of holdover attractions at four first run houses again held grosses down. The second week of "Ziegfeld Girl" at [illegible] Fifth Avenue took $6,800. The weather was warmer than usual.

Estimated receipts for the week ending May 16:

"The Great Dictator" (U. A.)
"Dead Men Tell" (20th-Fox)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 4th week. Gross: $2,800. (Average, $4,000)
"Ziegfeld Girl" (M-G-M)
FIFTH AVENUE — (2,500) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $6,800. (Average, $7,000)
"Penny Serenade" (Col.)
"Break the News" (Col.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 3rd week. "Break the News" matinees only. Gross: $4,800. (Average, $5,000)
"Road to Zanzibar" (Para.)
"The Penalty" (M-G-M)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,200. (Average, $4,000)
"Nice Girl?" (Univ.)
"Model Wife" (Univ.)
ORPHEUM—(2,450) (30c-40c-50c) 7 days, 2nd week. Gross: $4,900. (Average, $6,000)
"The Round Up" (Para.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: Vaudeville. Gross: $4,100. (Average, $5,000)
"The Bad Man" (M-G-M)
"They Met in Argentina" (RKO)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $5,800. (Average, $6,000)

'Ziegfeld' Scores $16,000, Baltimore

BALTIMORE, May 21.—With the exception of "Ziegfeld Girl," which took $16,000 at the Century, the films felt the effect of the Ringling Bros. Circus, in town for three days, plus the annual Preakness Race.

Estimated receipts for the week ending May 15:

"Ziegfeld Girl" (M-G-M)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $16,000. (Average, $10,000)
"Topper Returns" (U. A.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $8,500. (Average, $9,000)
"The People vs. Dr. Kildare" (M-G-M)
NEW —(1,581) (15c-28c-33c-44c) 7 days. Gross: $7,500. (Average, $7,000)
"They Met in Argentina" (RKO)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Guy Lombardo and his Orchestra with Gilm Lamb, Olsen and Shirley and Kenny Gardner. Gross: $15,500. (Average, $14,000)
"Road to Zanzibar" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 3rd week. Gross: $5,500. (Average, $13,000)

'Privates' Scores $8,200 in Toronto

TORONTO, May 21.—"Buck Privates" in its sixth week at Shea's took $8,200, with the public hurrying to the film shows before the introduction of the Federal amusement tax of 20 per cent. "Men of Boys Town" drew $11,500 at Loew's.

Estimated receipts for the week ending May 17:

"The Sea Wolf" (W. B.)
IMPERIAL—(3,373) (15c-25c-35c-50c-75c) 6 days. Gross: $10,900. (Average, $9,000)
"Men of Boys Town" (M-G-M)
LOEW'S—(2,074) (15c-25c-35c-50c-65c) 6 days. Gross: $11,500. (Average, $9,000)
"Buck Privates" (Univ.)
"Blondie Goes Latin" (Col.)
SHEA'S—(2,663) (15c-25c-40c-50c) 6 days, 6th week. Gross: $8,200. (Average, $7,500)
"Road to Zanzibar" (Para.)
"Adam Had Four Sons" (Col.)
TIVOLI — (1,434) (10c-25c-40c) 6 days. Gross: $3,500. (Average, $3,900)
"The Great Lie" (W. B.)
UPTOWN—(2,761) (15c-25c-35c-50c-75c) 6 days. Gross: $11,200. (Average, $9,000)

Short Subject Reviews

"A Good Time for a Dime"

(RKO-Disney)

Donald Duck has weird experiments in a penny arcade, with a movie machine that doesn't go beyond the sixth veil in "The Dance of the Seven Veils," an iron-claw machine that yields a number of prizes which he sneezes back, and a mechanical airplane which gets out of control, all contributing to his distress. It's typical Donald Duck material and while not the best of Donald's comic adventures it should draw many laughs. Running time, 7 mins.

"A Polo Phoney"

(RKO)

Leon Erroll makes a mess of things as usual in this little comedy. In an effort to obtain a contract with a big polo player, he dons polo clothes, buys a pony, crashes into a big game and ultimately loses the contract which his employer in the meantime had virtually clinched. A chase with Erroll on the pony and a policeman on a motorcycle is funny. Erroll does a fairly amusing job masquerading as a very British polo star. Running time, 18 mins.

"Information, Please, No. 9"

(RKO-Pathe)

The regular quartette of intellects continue on their bright way with Alice Marble, a repeater, and not one of the diversified questions is left unanswered by the group. The questions are mostly visual, such as identifying titles which are acted out in pantomime. Especially noticable in this is the expert editing which never allows the slightest lull on the screen. Running time, 11 mins.

"Aeronutics"

(M-G-M)

This Pete Smith "Specialty" really tells some of the elementary things one must know about how to fly a plane. Despite its title, the reel gives a general idea of the basic principles. The comedy is injected by having a student get too ambitious on his first flight. Worthwhile. Running time, 10 mins.

"1-2-3 Go"

(M-G-M)

Mickey is hurt by running in front of an automobile while playing baseball. After a visit to the hospital to see him, Our Gang decides to organize a safety club to reduce accidents among children. The idea catches on and even adults adopt the plan. The purpose is to have everyone look in three directions and count three before starting to cross the street. Has excellent exploitation possibilities. Running time, 10 mins.

"Shadows in Swing"

(Universal)

For those who like the modern jazz pattern of popular music, this should prove an enjoyable subject, featuring the band of Jan Garber. Assisting are Louis DaPron, tap-dancer; Jean Garry, singing and dancing performer; Stop, Look and Listen, a trio of girl vocalists, and Susan Miller, radio singer, each good in his specialty. Running time, 18 mins.

"Indian Durbar"

(Paramount)

The striking beauty and magnificence of a religious ritual in India with the lavishly-robed maharaja and his princes participating are further accentuated by the color photography. The film first focuses on the lavish procession to the royal palace and then depicts the gift-bearing princes being received by their ruler. Running time, 11 mins.

"Baggage Buster"

(RKO-Disney)

Disney presents in this cartoon, "The Goof," an awkward but amusing character, who runs into difficulty with a magician's trunk. He has instructions to place the trunk aboard the next train but in the meantime some of the characters of the out-of-the-hat tricks break loose, and the Goof has a hectic session. This is funny at times but doesn't always come up to the Disney standard. Running time, 7 mins.

"Picture People, No. 9"

(RKO)

There is nothing new in this tour of Hollywood, but the film does depict a number of notables of the screen. The cameraman found his subjects at a dog show, a studio modiste, a sports center and a Hollywood garden with Ray Bolger demonstrating a new dance. Brenda and Cobina, Abbott and Costello, Larry Sims, Linda Hayes, Virginia Vale, among those filmed. Running time, 8 mins.

'Wings' Good Denver Lead With $9,500

DENVER, May 21. — "I Wanted Wings" at the Denham in the second week was good for $9,500, while the Denver took in $10,400 with "The Great Lie" and "Ride On Vaquero."

Estimated receipts for the week ending May 13-16:

"Lady from Cheyenne" (Univ.)
ALADDIN—(1,400) (25c-40c) 7 days, 2d week. Gross: $2,300. (Average, $2,000)
"Men of Boys Town" (M-G-M)
"Footlight Fever" (RKO)
BROADWAY—(1,040) (40c-50c) 7 days, 4th week. Gross: $2,500. (Average, $2,500)
"I Wanted Wings" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 2d week. Gross: $9,500. (Average, $6,400)
"The Great Lie" (W.B.)
"Ride On, Vaquero" (20th-Fox)
DENVER—(2,600) (25c-35c-40c) 7 days. Gross: $10,400. (Average, $8,700)
"Ziegfeld Girl" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days, 2d week. Gross: $9,000. (Average, $8,700).
"Sis Hopkins" (Rep.)
"Mr. District Attorney" (Rep.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,800. (Average, $3,800)
"The Sea Wolf" (W.B.)
"Roar of the Press" (Mono.)
RIALTO—(900) (25c-40c) 7 days, 3d week. Gross: $2,300. (Average, $2,100).

Altec Appoints Two

Altec Service Corp. has appointed W. R. Kennedy as service inspector for the Eastern Shore territory, with headquarters in Salisbury, Md. Calvin E. Mervine has been named service inspector in the Pottsville, Pa., territory.

"I'VE QUIT KIDDING MYSELF!"

"When changes *do* occur to *sound*, I know where to turn for advice on what I should do. Altec has consistently shown me how the sound in my theatre can be made to keep pace with improvements in recording. I've quit kidding myself that I know machinery—and *when* new sound methods are perfected, I'll save headaches and money—by relying on Altec's technical advice." Change to Altec today.

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CHANGE TO ALTEC SERVICE • A CHANGE FOR THE BETTER

Ascap Meets NBC and CBS On Pact Today

The Ascap negotiating committee is scheduled to meet NBC and CBS representatives today to resume discussions on the society's new network licensing proposals.

The meetings were requested by the networks despite the fact that Ascap has stated that the terms of its Mutual contract represent the best it is prepared to offer and there is nothing further to negotiate, thus placing the contract on a "take it or leave it" basis.

NBC and CBS spokesmen stated in advance of the signing of the Mutual contract that they considered the Ascap terms too high and expected to get better ones.

The Ascap board of directors is scheduled to meet tomorrow and is expected to appoint a nominating committee which will prepare the new slate of directors to be elected by the membership for the first time, in accordance with provisions of the Ascap consent decree which becomes effective June 2.

Under the new Ascap by-laws, which will be submitted to the membership June 2 at a special meeting at the Hotel Astor, the annual membership meeting cannot be held earlier than 30 days after the appointment of the nominating committee, thus indicating that the latter meeting will be scheduled for the end of June.

The nominating committee will prepare a slate of three candidates for each of the 11 board vacancies now existing. One of the three in each instance must be the incumbent director unless he specifically refuses to be a candidate. Balloting will be by mail and the votes must be in five days before the annual meeting.

T. E. Harris Fills Rauh's Post at FCC

WASHINGTON, May 21.—Thomas E. Harris, now in the Solicitor General's office in the Department of Justice, has been appointed assistant general counsel of the FCC to succeed Joseph L. Rauh, Jr., who resigned this week to join the Lease-Lend Administration, it was announced today.

The commission also disclosed the appointment of Luciene A. Hilmer, who joined the FCC last year, as assistant general counsel in charge of the broadcasting division of the legal department, succeeding George B. Porter, who resigned last Fall.

Mexico City Offers Weekly Radio Show

MEXICO CITY, May 21.—The Municipal Government is presenting "Latin American Hour" twice weekly from local Station XEB, property of the Buen Tono Cigarette Co. as a means of informing American tourists of accomplishments it and the Federal Administration are making. The programs, which are in English, feature an "air theatre," presentations of outstanding American and English dramas, and the playing of the works of leading Mexican composers.

Off the Antenna

WNYC will present a "Preview Performance of the Summer Theatre" Tuesday from 1:15-1:45 P.M. when it will carry the Town Hall Club luncheon devoted to the summer theatre. Among producers present will be Robert Porterfield, Barter Theatre, Abingdon, Va.; Hope Lawder, Spa, Saratoga; Theron Bamberger, Bucks County Playhouse, New Hope, Pa.; Dorothy Olney, Ridgeway, White Plains, N. Y.; Mrs. Walter Hartwig, Ogunquit Playhouse, Ogunquit, Me.; Jean Muir, County, Suffern, N. Y.; Arthur Sircom, Cape Playhouse, Dennis, Mass.; Ione Hutaine, Hunterdon Playhouse, Jutland, N. J.; Cheryl Crawford, Maplewood, Maplewood, N. J.; and Frederick Burleigh, South Shore Players, Cohasset, Mass.

• • •

Purely Personal: *Edwin K. Cohan, CBS director of engineering, and three members of his staff, A. B. Chamberlain, W. B. Lodge and W. H. Moffat, are dividing their time between construction of seven new network transmitters and national defense activities in Washington. Cohan is serving on five committees. . . . Ed Nichols of the Mutual publicity staff returned to his desk yesterday after a four-day illness. . . . William L. Shirer, who covered Berlin for CBS, will have his book, "Berlin Diary," published by Alfred A. Knopf, Inc., June* 10. . . . *Col. Alfonso Hernandez has been named auditor for XEFO, Mexico City. . . . Col. Stoopnagle will substitute for Ned Sparks on the Ontario broadcasts over CBS Sunday. Sparks is ill.*

• • •

Hazel Bower, WINS program director, reports that less than one-third of the station's 98 hours each week is given over to recorded music. Her figures show that 23 hours are devoted to live musical shows, 31¼ to recorded music and 43¾ to dramatic shows, forums, news, and the like.

• • •

Clarence L. Menser, NBC production director, will go to Washington tomorrow to invite the ambassadors and ministers of the 22 Latin American republics to participate in the "Good Neighbor" series starting tonight over the Red and short wave. Each of 22 programs of the 24 on the series will be devoted to a separate country. Wyllis Cooper will write the scripts for the series.

• • •

Program News: *White Owl Cigars, which sponsors Raymond Gram Swing's news talks over Mutual on Mondays and Fridays, has renewed his contract through Dec.* 25. *Swing, incidentally, has been taking Thursday nights off to write a column for the* London Sunday Express, *but this schedule has become complicated by Mutual's acquisition of the rights to the boxing bouts. As a result, Swing will be heard on Thursdays whenever a fight is due to be broadcast on Friday. . . . American Schools, Inc., is the* 10*th sponsor for Arthur Godfrey on WABC and will use three participations weekly. . . . Spud cigarettes will sponsor a new program, "Danger is My Business" over Mutual Wednesday nights,* 10:15-10:30 *P.M. and a musical show at the same time Mondays. It will start June* 4. *"Who Knows?", now heard Mondays at that time, will shift to Fridays. . . . CBS, which experimented with a studio audience for the Columbia Broadcasting Symphony on Sunday, has decided to include an audience at all future broadcasts. . . . Cal Tinney, the columnist, will start a series, "Cal Tinney Calling," over WMCA Monday. It will be heard* 8-8:15 *P.M. Monday through Friday. The listening audience will be invited to telephone inquiries on domestic and foreign affairs and Tinney will give his answers on the air.*

Senate Hearings on FCC Start May 31

Washington, May 21.—The Senate Interstate Commerce Committee disclosed today it would start hearings May 31 on Senator White's resolution for an investigation of the FCC monopoly regulations. Committee members could not say whether the hearings would be extended, but it is expected they will not since the purpose will be to determine whether the resolution shall be favorably reported for passage by the Senate.

Martinez, Mexican Air Executive, Dies

MEXICO CITY, May 21.—Francisco Benitez Martinez, 49, radio authority and a member of the board of the Cine Teatro Alameda, first run theatre, and stations XEW and XEQ here, died in Tampico, where he was vacationing. He was buried in Ciudad Victoria, Tamaulipas State, his home town. His mother, widow, two children and two brothers survive.

Kentucky FM Station Authorized by FCC

WASHINGTON, May 21.—The FCC has granted construction permits to the American Broadcasting Co. of Kentucky for a new 45,100-kilocycle FM station at Lexington, Ky., to cover 6,298 square miles, and the Paducah Broadcasting Co., Inc., for a new 860-kilocycle, 250-watt, daytime station at Henderson, Ky.

Authority to increase power from 100 to 250 watts was granted Station KFIZ, Fond du Lac, Wis.

A number of applications were set for hearings, among them those of the Brainerd-Bemidji Broadcasting Co. for a new 1,550-kilocycle, 1,000-watt station at Brainerd, Minn.; Orange Broadcasting Co. for a 1,600-kilocycle, 1,000-watt station at Orange, Tex.; The Gazette Co. for a 1,600-kilocycle, 5,000-watt station at Cedar Rapids, Ia., and Homer Rodeheaver for a 1,480-kilocycle, 1,000-watt daytime station at Winona Lake, Ind.

'Road' Closing May 31

"Tobacco Road" is scheduled to close on May 31, which will have given the play a total of 3,180 performances. It is at the Forrest Theatre.

Telecasting to Start with 30 Hours Weekly

(*Continued from page* 1)

officials have been mulling the problem since the issuance of the FCC monopoly report, but a decision is not expected until later this week or [illegible] early part of next week. Many observers, however, are of the opinion that with DuMont and CBS going on the air NBC virtually will be compelled to start transmissions on a commercial basis.

DuMont Develops Television Finder

DuMont Laboratories have developed an electronic view finder for use on their television cameras. The device permits the cameraman to see exactly what the camera is picking up. The view finder is mounted on the side of the camera and operates on its own power supply.

Although substantial commercial sponsorship of programs is still viewed as a long way off, the rules require 15 hours per station of weekly programming.

DuMont Takes Lead

While RCA Manufacturing is pondering the question of whether to resume manufacture of receivers, DuMont has taken the lead with an announcement to go out to dealers tomorrow notifying them that prices will be increased 10 per cent, effective June 1. Existing prices range from $295 to $400 for the eight by 10-inch screen and $575 for the de luxe 11¼ by 15-inch screen. Defense orders which have tied up the DuMont plant for the past six months are expected to be completed by July 1. An outside plant has been leased in Passaic, N. J., which will be used exclusively for assembly of television receivers. This new plant is now being set up and employes now engaged in defense contracts will be able to move over to the new plant about July 15 to work on television receivers.

RCA Stock on Hand

RCA is understood to have a stock of more than 1,000 receivers on hand and these probably will be put on the market. This stock, as well as all outstanding receivers in the hands of the public, will have to be adjusted to receive the new signals. The change to 525 lines, FM sound and several other alterations make the adjustments necessary. Another adjustment required will be one to permit reception on the new channel No. 2 which CBS is using.

Free Park Shows to Compete in Reading

READING, Pa., May 21.—Theatres in this area face new competition from free films to be presented at the suburban Bangor Municipal Park. Opening the season on May 30, the park will present free outdoor pictures on Tuesdays and Thursdays.

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Television in Theatres May Hit Legal Snag

Rialto's Plans Bringing Problem to Fore

There is considerable speculation in legal circles about the right of theatres to take a television program off the air and exhibit it on a large screen in the theatre. The recent decision of the Rialto to adopt such a policy has stimulated the discussion, as has the fact that television will go commercial on July 1 with 30 to 45 hours of assured programs weekly.

NBC encountered the problem about a year ago when it obtained permission from Mike Jacobs to televise a heavyweight championship fight staged in the Yankee Stadium. A theatre near the stadium equipped with a home receiver in the lobby placed a large placard in front of the house advising prospective patrons that they could see the fight for 25 cents. At the

(*Continued on page* 8)

U. S. Probes Alleged 'Payoffs' to Unions

It is reported in Federal Court circles that new evidence on alleged "payoffs" is being gathered under the direction of U. S. District Attorney Mathias Correa in the Willie Bioff case, as the Government hastens to complete its side of the situation. It is also reported that among the phases which the Government is presently investigating has to do with alleged reports that the film and theatre companies, in fear of having their theatres closed, despite their having granted an annual 10 per cent wage increase to certain unions, also were compelled to make certain outside payoffs, amounting to several hundred thousand dollars over a period of years. Certain new indictments, court circles believe, are likely to follow in the wake of Correa's investigations.

Crescent Case to Go to Trial First; Schine Suit Waits

The Department of Justice has advised Federal Judge John C. Knight of U. S. District Court, Buffalo, that it has definitely abandoned whatever intention it may have had of bringing the Schine Circuit anti-trust suit to trial as the first of its four pending industry actions and, instead, will try the Crescent Amusement Co. suit first in Federal court at Nashville.

The Nashville case is set for trial July 7 but present indications are that the case will not be ready for trial by then and a postponement will be necessary.

Moreover, the possibility still remains that the Government will eliminate Columbia, United Artists and Universal from the three regional circuit anti-trust suits, as suggested by Seymour Simon, Assistant U. S. Attorney General, at a recent hearing before Judge Knight. The decision will be made following a study of the answers of the Little Three to Gov-

(*Continued on page* 6)

Balaban, Zukor and Griffis to Coast Soon

Barney Balaban, Adolph Zukor, Stanton Griffis and Neil Agnew will leave for the Coast in about 10 days for production conferences with studio officials. They are scheduled to be back in New York in time for the annual meeting of Paramount stockholders, June 17.

Small Chance Seen For Mich. Measure

Lansing, May 22.—Legislative observers here foresee little chance of the Snow consent decree bill being enacted in view of the plans of the legislature to adjourn next Tuesday.

No action has been taken on the measure by the Senate and the bill, in the amended form in which it was passed by the House, is now regarded as being of no significance.

'Woman's Face' 'Wings' Set Pace; Broadway Strong

With "I Wanted Wings" at the Paramount and "A Woman's Face" at the Capitol setting the pace, Broadway grosses this week showed strength, despite unseasonably warm weather which sent the mercury yesterday to 90.7, a record May 22 for the city. Scattered thundershowers failed to relieve the oppressive humidity, which sent thousands to beaches and other outdoor spots.

"A Woman's Face" opened with exceptional strength at the Capitol, taking an estimated $40,000 in the first week, ending Wednesday. The second week started yesterday. "I Wanted Wings" at the Paramount, with

(*Continued on page* 7)

Little Decree Benefit So Far, Allied Reports

Findings Are Based on Six-Month Experience

Washington, May 22.—Allied States Association finds little to praise and much to criticize in the first six months' experience under the consent decree, and its first three months under the arbitration system, according to a bulletin on the subject released by Allied headquarters here today.

The bulletin reports the result of an Allied survey on the decree experience to date of independent exhibitors, based on replies to questionnaires sent to Allied regional associations and studies of trade paper accounts of exhibitor experience in non-Allied territories.

Considering arbitration, Allied's "explanation" of the "comparatively few cases filed," is that "the consenting distributors are adjusting many grievances before claims are filed," particularly those relating to some run. However, the bulletin states, "there have not been many adjustments of clearance grievances for the reason that numerous diverse interests are involved."

The bulletin makes the admission, however, that: "To the extent that ex-

(*Continued on page* 6)

Skouras Theatres Promote 'Good Neighbor' Movement

By SAM SHAIN

This big cosmopolitan city of New York is the scene of one of the most unusual good-neighbor undertakings wherein community and neighborhood theatres are the sounding chambers for tolerance, Americanism and goodwill. George Skouras, head of Skouras Theatres, and William White, his associate and partner, are the forces behind this unique movement.

For two weeks, beginning last Monday, certain of the Skouras Theatres have been the places of assemblage for unusual crowds from the locale of the theatre, who have witnessed unusual good-neighbor lobby displays, Pan-American exhibits and listened to important speakers who addressed them between shows on the value of being good citizens and good neigh-

(*Continued on page* 6)

Studios Agree to Earlier Previews

Hollywood, May 22.—The Hollywood correspondents' group headed by Douglas Churchill tonight issued a statement saying that the studios had acceded to their demands for earlier press previews, following a seven-week dispute during which the newspapermen had caught "sneak" previews in contravention of their standing custom.

The agreement was reached at a meeting presided over by Y. Frank Freeman, president of the Association of M. P. Producers, with studio publicity directors and the correspondents' committee attending.

Points agreed upon are: films will be shown to the press in Hollywood

(*Continued on page* 7)

Fight Brewing Over 20% Canadian Levy

Ottawa, May 22.—A serious fight is brewing in the Canadian House of Commons over the recently decreed 20 per cent tax on admissions to film theatres throughout the Dominion, which went into effect last Monday, it was indicated today.

Finance Minister J. L. Ilsley ordered the new tax as part of his war budget, and precipitated a storm of protest from exhibitors across the

(*Continued on page* 6)

In Today's Issue

Review of "Desert Bandit" and key city grosses, Page 7. Short subject reviews, Page 8. Coast Flashes, Page 2. CBS completes Latin American network, Page 8.

Walker Hits Post's War Record Slight

Scranton, Pa., May 22.—Postmaster General Frank C. Walker, head of Comerford-Publix Theatres Corp., wishes Koch-Conley Post, No. 121, American Legion, "would send official notice to the *Saturday Evening Post* of the presentation to him by the post of an American Legion pin." Walker is a member of Koch-Conley Post, Scranton, largest in Pennsylvania.

Receiving the pin at a Scranton Chamber of Commerce luncheon at which he was the principal speaker, Walker explained that the magazine made a "nasty" statement in its editorial columns. He said the magazine stated that "the President had two men in his Cabinet who served in the last war and these men were both Republicans!"

"I was in the Army," Walker, a Democrat, said, "but I'm not bragging about it. I fought a very safe war. About the only shots I heard were in target practice. However, I managed to get 'over there.' I was ordered up to the front lines at 8 o'clock and the war ended at 11 o'clock."

Executives Invited To Ampa Luncheon

Leading industry executives and the members of the national committee on the industry's participation in national defense, have been invited to attend the national defense luncheon of the Ampa at the Hotel Edison next Wednesday. This will be the final open meeting of the group before the Summer recess.

Francis S. Harmon of the MPPDA, coordinator of the national committee, will be the chief speaker, and will be introduced by Howard Dietz, director of advertising and publicity for M-G-M. The Ampa has invited George J. Schaefer, national chairman, and the following division chairmen: Joseph Bernhard, theatres; Y. Frank Freeman, production; E. B. Hatrick, newsreels; Martin Quigley, trade press, and William A. Scully, distribution. Also invited are: Barney Balaban, Nicholas M. Schenck, Joseph H. Hazen, Walter Vincent, William C. Michel, R. B. Wilby and Nathan Yamins.

Goldenson Leaving For Interstate Meet

Leonard Goldenson, Paramount theatre head, will leave for Galveston on Sunday to attend the annual meeting of managers of Interstate and Texas Consolidated circuits, which will be conducted by Karl Hoblitzelle and R. J. O'Donnell.

Following the meeting Goldenson will go to the Coast to attend the M.P.T.O.A. national convention there, June 9 to 12. Sam Dembow, Paramount home office theatre executive, who will leave for Minneapolis this weekend, will continue to the Coast from there to attend the convention.

13TH WEEK ON B'WAY
JEAN GABIN in original unexpurgated
PEPE LE MOKO
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Personal Mention

WILLIAM F. RODGERS, MGM general sales manager, left for the Coast last night.

•

W. A. Scully, Universal vice-president and general sales manager, will return from Scranton today.

•

J. J. Friedl of Minnesota Amusement Co. is in New York.

•

Sam Galanty, Columbia division manager in Washington, visited the Cincinnati and Pittsburgh offices this week.

•

Guy L. Wonders of the Warner Theatres office in Washington spent a few days with Rodney Collier, manager of the Stanley, Baltimore.

•

Jack Shaindlin, musical director, flies to Boston tonight in his own plane. He is a licensed pilot.

•

Robert Gottlieb, son of Dorothy Day, Tri-States publicity director at Des Moines, has volunteered for the Army.

NATE GOLDSTEIN of Western Massachusetts Theatres, Springfield, Mass., visited the Paramount home office yesterday.

•

William Schneider of the Donahue & Coe advertising agency has arrived in California, accompanied by Lynn Farnol.

•

Frederic Ullman, Jr., vice-president of RKO Pathe News, has gone to the Coast for about a week.

•

A. A. Schubart, manager of exchange operations for RKO, has returned to work following his recovery from an appendicitis operation.

•

Harry Holdsberg, Tri-States employe for many years, most recently manager of the Des Moines Theatre in Des Moines, has resigned to enlist in the Army. Kermit Carr has succeeded him.

•

Frank Gordon of the Wicker Park and Chopin theatres, Chicago, has returned to work after a month's illness at Billings Hospital.

Appeal Luncheon to Discuss Drive Plans

Reports of contributions already received, and a review of the further steps necessary for the attainment of its quota will be the purpose of the luncheon meeting of the Amusement Division of the United Jewish Appeal, scheduled for June 3 at the Hotel Edison.

The meeting, originally scheduled for next Tuesday, has been postponed because of conflict with the industry golf tournament.

'U' Gives Craddock Leave of Absence

Gordon Craddock, assistant to W. J. Heineman, Western sales manager for Universal, has been granted an indefinite leave of absence to recover from ill health. No successsor will be named.

Craddock, former Universal branch manager in Indianapolis and Portland, was named assistant to Heineman at the company's sales convention last February. He is in San Antonio with his family.

Late News Flashes from the Coast

Hollywood, May 22

AN N.L.R.B. consent decree was entered today stipulating dissolution of the Federation of Screen Cartoonists, organization of Walt Disney employes which Screen Cartoonists Local 852 had challenged as a company union. With entry in the record of a statement by Gunther Lessing, Disney vice-president and counsel, that the company did not violate the Wagner Act and would bargain with any organization representing the employes' majority, James Paradise, N.L.R.B. trial examiner, closed hearings of charges that the Disney studio fostered a company union. The cartoonists' local will meet tomorrow night presumably to decide what action it shall take about the American Society of Cartoonists, alleged by union leaders to be successor to the Federation.

•

Harry M. Warner, president of Warners, has received a plaque from President Avila Camacho of Mexico, thanking him, on behalf of the people of Mexico, for his goodwill greetings at the time of the Cinco de Mayo celebration.

•

A feature of the National Conference of Writers, sponsored by the Authors League of America here, starting tomorrow, will be a radio broadcast on CBS, Sunday, 10-10:30 A. M., Pacific Standard Time, on "What Writers Can Do to Help American Freedom." Speakers will be Arch Oboler, Marc Connelly, Sheridan Gibney, Garson Kanin, Mary McCall, Jr., True Boardman and Sidney Buchman. The three-day conference opens tomorrow night with addresses by writers in various fields. More than 2,000 are expected to attend the sessions, to be held on the campus of the University of California, Los Angeles branch.

•

Production and use of fine grain film for sound recording, re-recording and adaptation for release prints was the chief subject tonight at a meeting of the Pacific Coast Section, Society of Motion Picture Engineers, at the Paramount studio. Paramount is the first company to announce use of the newly developed film for release prints.

•

Carey Wilson, M-G-M producer, leaves tomorrow by plane for New York for a week's vacation.

•

William Blowitz and Irving Parker, Warner publicity men, today obtained a leave of absence to handle the Messerchmidt Fighter national tour, proceeds of which will go to Bundles for Britain.

Newsreel Parade

DEFENSE and military subjects continue to gain space in the newsreels, which, in the weekend issues, cover the defense bond drive launched in Hollywood by Bud Abbott and Lou Costello and Thomas Dewey in New York discussing recreation for soldiers. Contents follow:

MOVIETONE NEWS, No. 74—Dewey on army recreation. Oil fire in Illinois. Herring run in Maine. New bridge over Niagara Falls. South American admirals in Movietone City. Abbott and Costello urge bond purchases. Whirlaway wins Belmont race. Aquaplaning in Florida. Trick bear performs in Milwaukee.

NEWS OF THE DAY, No. 272—Troops in Syria. *Zamzam* passengers safe, relatives here learn. Dewey launches soldiers' welfare drive in New York. Aberdeen cadets study new artillery. Abbott and Costello urge bond purchases. Long Island boy plays expert golf. Motorcyclists in hill trials.

PARAMOUNT NEWS, No. 77—Ambulance headquarters here receives *Zamzam* report. Abbott and Costello aid bond sales. British parachutists practice. Subject on Indo-China. Racing at Belmont. Aquaplaning in Florida. Pet cub does tricks in Milwaukee.

RKO PATHE NEWS, No. 77—Dewey in New York outlines soldiers' welfare campaign. British parachutists in mass jumps. First U. S. clipper reaches Singapore. Mayor LaGuardia named civilian defense chief. Abbott and Costello aid defense bond sales. Defense school graduations in Boston. "Wham" girl at Harvard. Frog-jumping contest in California. Belmont racing. Bishop Sheil honored in Chicago.

UNIVERSAL NEWSREEL, No. 982—Launch soldier welfare plan in New York. Cadets at Aberdeen fire new weapons. LaGuardia appointed civil defense head. South American admirals see Marines in review at San Diego. New York girls learn mechanics. Abbott and Costello back bond drive. Brazil speeds pilot training. British train parachute troops. Cub does tricks in Milwaukee. New Jersey youngsters in fishing contest. Long Island boy is champion golfer. Whirlaway wins at Belmont.

Notables to Attend Jack Smith Funeral

Many film and theatrical celebrities and other notables will attend the funeral tomorrow of John Vincent (Jack) Smith, drama editor of the New York *Journal-American*, who died early Wednesday.

The funeral will be from the residence at 546 W. 150th St. There will be a solemn requiem mass at 10 A.M. in the Church of St. Catherine of Genoa, W. 153rd St. and Amsterdam Ave.

MOTION PICTURE
DAILY
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WANTED WINGS" PARAMOUNT'S "I WANTED WINGS"

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4 "HOT PILOTS" ZOOMING TO NEW HIGHS AT THE BOX OFFICE IN...

CHATTANOOGA, TENN. **KANSAS CITY, MO.**

LOS ANGELES, CAL. **PORTLAND, ORE.**

SEATTLE, WASH. **SAN FRANCISCO, CAL.**

OAKLAND, CAL., DURHAM, N. C., EL PASO, TEX.

and **HELD OVER** in **DENVER, COL., MEMPHIS, TENN.**

"I WANTED WINGS"

A Paramount Picture starring

RAY MILLAND · WILLIAM HOLDEN
WAYNE MORRIS · BRIAN DONLEVY

with CONSTANCE MOORE · VERONICA LAKE · HARRY DAVENPORT

Directed by Mitchell Leisen

FRENZY

New York crowds break all restraint as Roxy Theatre opens with the 20th Century-Fox picture, "BLOOD & SAND"!

"BLOOD AND SAND"
LINDA DARNELL
RITA HAYWORTH
AND NEW VARIETY
REVUE ON STAGE
TYRONE POWER
BLOOD AND SAND

"'BLOOD AND SAND' IS ONE OF THE GREATEST PICTURES EVER TO COME OUT OF HOLLYWOOD! SMASH BOXOFFICE HIT!"

—*The Film Daily*

"'BLOOD AND SAND' MAY WELL BE ONE OF THE FOREMOST GROSSING MOTION PICTURES OF THE YEAR! IT IS MAGNIFICENT IN EVERY DEPARTMENT!"

—*Daily Variety*

"'BLOOD AND SAND' WILL DO ALL THE BUSINESS IT IS CURRENTLY POSSIBLE TO DO ON A MOTION PICTURE BOTH HERE AND IN ANY FOREIGN COUNTRY. IT IS THE BEST PICTURE EVER TO CARRY THE TWENTIETH CENTURY-FOX TRADEMARK!"

—*Hollywood Reporter*

20th CENTURY FOX

Crescent Case to Go to Trial First; Schine Suit Waits

(*Continued from page* 1)

ernment interrogatories in the Nashville, Buffalo and Oklahoma City cases. Defense answers in the Nashville case are due this weekend.

If the Little Three are eliminated from the circuit actions, the Government would press the prosecution of its New York anti-trust suit, in which the three companies are the sole defendants.

The Government statement that it would not try the Schine case first was made in compliance with instructions from Judge Knight, who had informed the Department of Justice that he would not require the Little Three to defend two suits simultaneously, a situation which might have arisen if the Government started the trial at Buffalo with the Crescent case already on the Nashville court's trial calendar.

U. A. Files Denials In Schine Action

BUFFALO, May 22.—Specific and general denials of allegations in the Government's amended complaint in the anti-trust suit against the Schine Circuit and the Little Three were made by United Artists in its answer filed in U. S. District court here today.

The answer denies the Government's allegation that United Artists transports its films from its branch offices or film exchanges to or from theatres. It also denies that the complaint's definitions of trade terms are, in all instances, the definitions as such terms are understood in the industry, or that such terms are in every instance accurate or correct within the understanding of the defendant. It particularly denies that seven subparagraphs are accurate.

Otherwise the answer was a general denial of charges or knowledge respecting the charges.

Fight Brewing Over 20% Canadian Levy

(*Continued from page* 1)

country. Theatre men protested not only the unexpected severity of the tax rate, but the fact that only film theatres, among all amusements, are subject to the tax.

It was learned here today that when that item of the budget is reached in Parliament, opposition members will move to strike it out or have it cut down.

Ontario Liberals are understood to have resolved that the tax should be modified or extended to all types of amusement and entertainment, including sporting events, to overcome suggestions of discrimination against film theatres.

SWG Meets Tuesday On Producers' Pact

HOLLYWOOD, May 22.—The Screen Writers Guild negotiating committee is scheduled to meet next Tuesday with producers' representatives to resume negotiations on a new contract. The SWG board of directors will meet Monday.

Skouras Theatres Promote 'Good Neighbor' Movement

(*Continued from page* 1)

bors, without prejudice to creed, race or religion.

One of the biggest and finest of these displays is in the Fox Theatre, Hackensack, N. J., managed by Richard Carnegie. With the help of the women's clubs of the city and other agencies such as steamship lines, educational institutions, public officials and newspaper people, Carnegie has decorated his lobby in a most extraordinary manner, having on display not only the national colors of the various South American Republics, as well as Mexico, Cuba, Honduras and Nicaragua, but also large displays of the products of these countries.

Other theatres which Skouras and White have included in this All-American campaign, as they call it also, are the Skouras Astoria, Astoria; Rivoli, Hempstead; Merrick, Jamaica; Beacon, New York City, and Capitol, Port Chester.

Among the notables which Skouras, White and their managers have been fortunate in obtaining to meet and address their various audiences or who have yet to make their address are Congressmen William B. Barry, Hon. Newbold Morris, acting mayor of New York City; State Senator Peter T. Farrell; Alexander T. Wells, international President of the Lions Clubs; Congressman Matthew Merrit; Dr. William A. Gore, superintendent of Hempstead schools; Father Lerner, pastor of Our Lady of Loretta Church, Hempstead; Rabbi I. Schwartz of the Hempstead Synagogue; Congressman Leonard Hall; Commander McGinnis of the Salvation Army; Prof. Philip Bradley, of Queens College; Congressman Samuel Dickstein and Judge Thomas A. Aurelio, among others.

Several of the South American consuls and their associates are others who are on this roster of speakers. Among them are Dona Josefita Arias, consul general of Panama; L. Coutolenc, representing the Mexican Government Tourist Bureau; Dr. Rafael Espellat de la Mota, assistant consul general of Argentina; Dr. Ramon Ruiz; Dr. Emilio Nunez, assistant consul of Chile; Edgard Sanabria, consul general of Venezuela; J. Sainz, consul general of Bolivia; A. A. Santos, consul general of Colombia, and S. E. Duran-Ballen, consul general of Ecuador.

20th-Fox Will Decide Program Next Month

Final conferences on 20th Century-Fox's new season production schedule will be held at the studio next month, at which time final plans for the company's adoption of consent decree sales operations will be made, Herman Wobber, general sales manager, said yesterday on his arrival from the West Coast.

At the moment, Wobber said, new season's plans are not sufficiently advanced to determine whether a sales convention will be held this Summer, or when the company's first block of pictures will be offered.

Pascal to Montreal; No Stop in Toronto

TORONTO, May. 22.—Gabriel Pascal, United Artists producer, who reportedly was en route here from New York to investigate production facilities in this city, did not leave the airport when he arrived on a Montreal-bound plane this afternoon.

Neither Pascal nor Harry D. Buckley, vice-president of United Artists, who accompanied him, were here long enough to be interviewed. It is understood they will confer with Ben Norrish, president of Associated Screen News, on their arrival in Montreal.

First L. A. Hearing Delayed to Monday

LOS ANGELES, May 22.—Start of arbitration proceedings of the first local hearing under the New York consent decree case, that of O. W. Lewis' Mission Playhouse, San Gabriel, involving clearance and zoning, which was scheduled for today, was postponed to Monday because several attorneys in the case are busy with other court matters.

Sparks-Paramount Deal Progressing

Negotiations for the purchase by Paramount of E. J. Sparks' 40 per cent stock interest in the All-Florida Circuit of about 100 theatres for $1,350,000, are progressing satisfactorily and agreements are scheduled to be ready to turn over to attorneys today or tomorrow to place in final legal form, principals in the negotiations reported yesterday.

Drafting of the legal documents, it is estimated, will take about three weeks. Frank Rogers, general manager of the circuit, and Fred Kent, its general counsel, are representing Sparks in the negotiations here. Paramount already owns 50 per cent of the All-Florida Circuit stock.

Arnold Named Head Of Coast Charities

HOLLYWOOD, May 22.—The permanent charities committee of the industry last night elected Edward Arnold chairman, succeeding Samuel Goldwyn, who resigned after a year in the post.

An executive committee empowered to act on behalf of the guilds in all industry charities' activities was appointed, consisting of the following: Arnold, for Screen Actors Guild; King Vidor, Screen Directors Guild; Ralph Block, Screen Writers Guild, and Bert Allenberg, Artist Managers Guild. Goldwyn was named to represent the producers on the committee.

The executive committee voted to assist the United China Relief, as its first official act.

Colman in New York

Ronald Colman and his wife, the former Benita Hume, are in town. He will broadcast for the British War Relief while in the East.

Little Decree Benefit So Far, Allied Reports

(*Continued from page* 1)

hibitors with long-standing grievances have obtained relief by voluntary action of the distributors, the decree has been beneficial."

Other points raised in the bulle[illegible] in explanation of "the comparatively few arbitration cases filed," are that "exhibitors are bewildered by the complicated provisions of the decree and the technicalities raised by the distributors in contested cases." Cited as examples of the former, are Section 10 on "discrimination," which, it is said, is "susceptible of the interpretation that controversies can be arbitrated under it now," whereas Section 20 indicates that Section 10 will not be in force until after Aug. 31.

Section 8, on clearance, also is cited as confusing to arbitrators as well as exhibitors. In this connection, Allied expresses the hope that arbitrators will not dismiss complaints under that section for lack of jurisdiction but will proceed to make rulings which can be reviewed later by the appeals board.

Censured on Lawyers

Distributors are criticized for defending complaints against themselves with "batteries of lawyers" and "experienced home office talent."

Of the decree itself, the bulletin says: "Not only does not the decree touch upon numerous grievances against which exhibitors have complained in the past, but its provisions are inadequate properly to remedy many of the grievances to which they expressly relate."

The bulletin then states that the "many pending and prospective lawsuits must be taken into account before concluding that the failure of the exhibitors to file more arbitrations means that there is no ground for complaint." None of the "many pending and prospective lawsuits" are enumerated.

Sees 'Poison' Attempt

By way of further "explanation of the comparatively few cases (arbitration) filed," the bulletin records a "rumor" that a "systematic effort is being made" in "some non-Allied territories, especially those in which the local exhibitor organizations are dominated by the affiliated circuits, to poison the minds of the exhibitors against the arbitration system and to persuade them not to file their claims."

Predicting that more cases will be filed in the future, the bulletin concludes with a criticism of the decree's "ineffectiveness" in arresting affiliated theatre expansion. It states that the decree "as a proper entry in a Sherman Law case was accurately appraised by the authors of Monograph 43 of the Temporary National Economic Committee." It adds that: "Thurman Arnold's criticism of the report was not impressive."

"As matters now stand," the bulletin concludes, "Section 11 (theatre expansion) does not square with the Department's bill of complaint, with the numerous statements released by the Department nor with the report of the TNEC."

'Woman's Face' 'Wings' Set Pace; Broadway Strong

(Continued from page 1)

Vaughn Monroe on the stage, drew an estimated $16,000 for the first two days of the first week, Wednesday and Thursday. It is expected to go three weeks at the house.

"Citizen Kane" concluding its third week Wednesday at the Palace, dropped to an estimated $17,500. The fourth week began yesterday. "The Great American Broadcast" finished a three-week run with a stage show at the Roxy with an estimated $25,000 for the final week. The new film, "Blood and Sand," began at the house yesterday.

At the Music Hall, "The Devil and Miss Jones" was estimated to have taken $72,000 for the week ending Wednesday. "Penny Serenade" with a stage show, started yesterday. The Globe took an estimated $2,700 with "Girl in the News" for the five days of the third week, ending Wednesday. It was succeeded yesterday by "Voice in the Night."

St. Louis in Slump; 'Serenade' $4,200

ST. LOUIS, May 22.—For the second consecutive week grosses were considerably off. "Penny Serenade" and "Flame of New Orleans," the only bill to exceed average, took $4,200 at the Missouri.

Estimated receipts for the week ending May 15:

"That Hamilton Woman" (U. A.)
"The Penalty" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $10,800. (Average, $13,000)

"They Met in Argentina" (RKO)
"Mutiny in the Arctic" (Univ.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,600. (Average, $2,600)

"The Great American Broadcast" (20th-Fox)
"Model Wife" (Univ.)
FOX—(5,038) (30c-40c-50c) 7 days. Gross: $8,500. (Average $11,000)

"Meet John Doe" (W. B.)
"Knockout" (W. B.)
AMBASSADOR — (3,018) (30c-40c-50c) 7 days. Gross: $7,500. (Average, $11,500)

"Penny Serenade" (Col.)
"Flame of New Orleans" (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $4,200. (Average, $4,000)

Studios Agree to Earlier Previews

(Continued from page 1)

before exhibition elsewhere; spacing of previews to prevent clogging of correspondents' time schedules; assurance of two weeks' minimum clearance between press previews and release date "except in cases when the physical problems confronting a specific picture forbid such leeway."

It was the clearance point on which the groups had been at loggerheads for several weeks.

Though no statement came from the publicity directors, it was reliably understood that Freeman will write to the studio heads outlining the policy, with respect to previews as agreed upon today and will furnish a copy of his letter to the press committee.

The understanding on both sides is that the procedure agreed upon today will stand until and unless new conditions growing out of the consent decree selling conditions necessitate a change.

Feature Review

"Desert Bandit"

(Republic)

DON "RED" BARRY and the Texas Rangers against a group engaged in smuggling guns over the Mexican border develops into a sturdy, fast western in "Desert Bandit."

The final roundup of the smugglers is the type of western material that always goes over, being almost continuous sustained chasing, fighting and general robust action, all presented in double-quick tempo.

Leading up to that climax is a well-constructed story of Barry's expulsion from the Rangers because of a frameup by a crooked sheriff, who charges him with abetting the escape of a friend and causing his death. Surreptitiously Barry continues to work for the Ranger captain and eventually proves his innocence and brings about the capture of the gang.

Lynn Merrick is the girl involved. The cast also includes William Haade, James Gillette, Dick Wessel and Robert Strange. George Sherman was director and associate producer.

Running time, 56 minutes. "G."*

**"G" denotes general classification.*

'Night' Gets $13,000, Detroit Grosses Off

DETROIT, May 22.—In the third dull week in a row, "So Ends Our Night" and "Footsteps in the Dark" at the Michigan attracted $13,000.

Estimated receipts for the week ending May 15:

"Penny Serenade" (Col.)
"The Black Cat" (Univ.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $5,600. (Average, $5,500)

"Strawberry Blonde" (W. B.)
"Buck Privates" (Univ.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,400. (Average, $7,000)

"The Lady From Cheyenne" (Univ.)
"Model Wife" (Univ.)
FOX—(5,000) (20c-44c-55c-65c) 7 days. Gross: $15,000. (Average, $15,000)

"So Ends Our Night" (U. A.)
"Footsteps in the Dark" (W. B.)
MICHIGAN—(4,000) (15c-39c-44c-55c) 7 days. Gross: $13,000. (Average, $12,000)

"The Great Lie" (W. B.)
"Las Vegas Nights" (Para.)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)

"Men of Boys Town" (M-G-M)
"The People vs. Dr. Kildare" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days, 2nd week. Gross: $9,500. (Average, $10,000)

'John Doe' $15,000 Best in Cleveland

CLEVELAND, May 22.—"Meet John Doe" broke the Spring business lull here, garnering $15,000 at Warners' Hippodrome. "That Hamilton Woman," in its second week at Loew's Stillman drew $6,000.

Estimated receipts for the week ending May 15-16:

"Penny Serenade" (Col.)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)

"Meet John Doe" (W.B.)
WARNERS HIPPODROME—(3,800) (33c-39c-47c) 7 days. Gross: $15,000. (Average, $11,000)

"People vs. Dr. Kildare" (M-G-M)
RKO PALACE—(3,100) (33c-47c-55c) 7 days. Abe Lyman's orchestra on stage. Gross: $9,500. (Average, $13,500)

"Pot o' Gold" (U.A.)
LOWE'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $6,000. (Average, $11,000)

"That Hamilton Woman" (U.A.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $6,000. (Average, $4,000)

$90,000 Remodeling

ARLINGTON HEIGHTS, Ill., May 22.——Lucas Theatre Corp. plans to remodel the Arlington here at a cost of about $90,000. Seating will be increased from 400 to 800. The work is expected to be completed in August.

Cincinnati Gives 'Ziegfeld' $14,600

CINCINNATI, May 22. — "Ziegfeld Girl" gave the RKO Albee $14,600, and "The Great Dictator" had an excellent $4,800 third moveover week at the RKO Grand. Business at the other houses was sub-normal. The weather was cool.

Estimated receipts for the week ending May 14-17:

"Ziegfeld Girl" (M-G-M)
RKO ALBEE — (3,300) (33c-40c-55c) 7 days. Gross: $14,600. (Average, $12,000)

"That Uncertain Feeling" (U.A.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $6,500. (Average, $10,000)

"Washington Melodrama" (M-G-M)
RKO SHUBERT—(2,150) (33c-44c-60c) 7 days. Stage: "Latin Quarter Revue." Gross: $7,800. (Average, $10,000)

"Penny Serenade" (Col.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2d week. Gross: $4,600. (Average, $5,500)

"The Great Dictator" (U.A.)
RKO GRAND—(1,500) (33c-40c-50c) 7 days, 3d week. Gross: $4,800. (Average, $5,000)

"The Road to Zanzibar" (Para.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3d week. Gross: $3,200. (Average, $4,500)

"Roar of the Press" (Mono.)
"Federal Fugitives" (P.R.C.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)

"Robbers of the Range" (RKO)
"Footlight Fever" (RKO)
RKO FAMILY—(1,100) (15c-28c) 3 days. Gross: $700. (Average, $800)

"There's Magic in Music" (Para.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $2,700. (Average, $5,000)

'Hamilton Woman' $12,000, Montreal

MONTREAL, May 22.—"That Hamilton Woman" at Loew's drew $12,000. "They Met in Argentina" and "The Saint in Palm Springs" took $3,600 at the Princess.

Estimated receipts for the week ending May 16:

"So Ends Our Night" (U. A.)
ORPHEUM—(1,000) (30c-43c) 7 days, 2nd week. Gross: $2,200. (Average, $4,000)

"That Hamilton Woman" (U. A.)
LOEW'S—(2,900) (30c-40c-60c) 7 days. Gross: $12,000. (Average, $7,000)

"They Met in Argentina" (RKO)
"The Saint in Palm Springs" (RKO)
PRINCESS—(2,200) (25c-40c-50c) 7 days. Gross: $3,600. (Average, $2,500)

"The Great Lie" (W. B.)
PALACE — (2,200) (25c-45c-65c) 7 days. Gross: $6,500. (Average, $7,000)

"Lady from Cheyenne" (Univ.)
"Meet the Chump" (Univ.)
CAPITOL—(2,800) (25c-45c-55c) 7 days. Gross: $4,800. (Average, $4,000)

'Topper' Gets Good $8,500, Minneapolis

MINNEAPOLIS, May 22.—"Topper Returns," coupled with a stage show, did $8,500 at the Orpheum. "Men of Boys Town" took $7,500 at the State.

Estimated receipts for the week ending May 16:

"Topper Returns" (U. A.)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. With Major Bowes Amateurs stage unit. Gross: $8,500. (Average, $5,500)

"Men of Boys Town" (M-G-M)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $7,500. (Average, $6,000)

"So Ends Our Night" (U. A.)
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $2,800. (Average, $1,600)

"Fantasia" (Disney)
MINNESOTA—(1,850) (50c-75c-$1-$1.50) 7 days, 5th week. Gross: $4,800.

"Ziegfeld Girl" (M-G-M)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)

"The Great Swindle" (Col.) 4 days
"The Big Boss" (Col.) 4 days
"Convoy" (RKO) 3 days
"Border Vigilantes" (Para.) 3 days
ASTER—(900) (15c-28c) 7 days. Gross: $1,800. (Average, $1,800)

"Tall, Dark and Handsome" (20th-Fox)
GOPHER—(998) (28c) 7 days. Gross: $2,600. (Average, $2,500)

'Date,' Duchin Band $15,300, Milwaukee

MILWAUKEE, May 22.—Pacemaker in an average week was Eddy Duchin and his band with the picture "Double Date" at the Riverside, which collected $15,300. "That Hamilton Woman" and "Model Wife" grossed $9,400 at the Warner.

Estimated receipts for the week ending May 13-15:

"That Hamilton Woman" (U. A.)
"Model Wife" (Univ.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $9,400. (Average, $4,500)

"The Great Dictator" (U. A.)
"Sleepers West" (20th-Fox)
PALACE — (2,400) (33c-44c-55c) 7 days. Gross: $5,000. (Average, $4,000)

"Double Date" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Eddy Duchin. Gross: $15,300. Average, $6,500)

"The Lady Eve" (Para.)
"That Night in Rio" (20th-Fox)
STRAND — (1,400) (33c-44c-55c) 7 days, 2nd week. Gross: $1,500. (Average, $1,500)

"Ziegfeld Girl" (M-G-M)
"The People vs. Dr. Kildare" (M-G-M)
WISCONSIN—(3,200) (33c-44c-55c) 7 days, 2nd week. Gross: $5,800. (Average, $5,500)

'Doe' Gets $16,500; Newark Grosses Off

NEWARK, May 22. — Except for "Meet John Doe," which drew $16,500 at Warners' Branford, local grosses were off.

Estimated receipts for the week ending May 14-16:

"Meet John Doe" (W. B.)
"Free and Easy" (M-G-M)
WARNERS' BRANFORD—(2,840) (15c-28c-33c-44c-55c-66c-75c) 7 days. Gross: $16,500. (Average, $14,000)

"Go West" (M-G-M)
"The Penalty" (M-G-M)
RKO PROCTOR'S—(3,389) (20c-33c-44c-66c-75c) 7 days. Gross: $13,700. (Average, $14,500)

"Pot o' Gold" (U. A.)
"Rage in Heaven" (M-G-M)
LOEW'S STATE—(2,589) (28c-33c-44c-55c) 7 days. Gross: $12,500. (Average, $13,500)

"There's Magic in Music" (Para.)
"Power Dive" (Para.)
PARAMOUNT-NEWARK—(2,200) (15c-28c-33c-40c-55c-75c) 7 days. Gross: $13,100. (Average, $13,750)

Television in Theatres May Hit Legal Snag

(*Continued from page* 1)

time, Jacobs protested violently but nothing was done and, ultimately, Jacobs refused to permit televising of boxing.

Several years ago, the Muzak organization, which furnishes music to restaurants and hotels over wires, carried a description of a boxing bout as it was being broadcast by NBC, but the dispute was compromised when Muzak agreed to ask for permission before repeating the incident in the future.

However, despite these incidents there are no precedents on which it can be determined whether or not a theatre would have the right to pick up programs which are televised, according to lawyers. As a matter of fact, one attorney pointed out that a test case would have to be brought to determine not only the right of a theatre to pick up programs on a large screen, but on the home size receivers as well.

Copyright License Required

It was pointed out that even if it were decided that a theatre could pick up the signals, it would have to obtain a license from the copyright owner of any music or dramatic piece televised. This requirement has been established in suits brought by Ascap. Although theatres would have no trouble with music, because they have Ascap licenses and BMI licenses could be obtained readily, licenses on dramatic presentations would be controlled by the television station and would have to be paid for. There is also the question of the law of privacy, as the picture of a person may not be used for commercial purposes without written permission. Whether television would be put in the same class as newsreels, which are exempt from the privacy rule, or in the dramatic class, which requires specific permission, is one of the big problems.

Suit on Sports Expected

However, since theatres will be most interested in sports events, the question of copyright will not enter. Most likely, according to the lawyers, sports promoters will bring suit based on unfair competition to prevent theatres from picking up the events.

Meanwhile, according to Arthur Mayer, managing director of the Rialto, the theatre is convinced that it has the right to pick up the signals during television's experimental period up to July 1. Mayer declined to say what the policy would be after that date, but added that, if licenses should be required, they could be readily obtained.

3 Companies Formed

ALBANY, May 22.—Three new companies, all of New York City, which have been incorporated here, include: Jewish Theatrical Enterprises, Inc., by Sharon Gould, Morris Honig and Richard K. Gregory; Anglo-American Enterprises, Inc., by Robert Morris, Solomon Granett and Florence Epstein, and Hill-Rose Amusement Co., Inc., by Ross A. Baer, David Hirschman and David Rosen.

Short Subject Reviews

"Jungle Girl"

(*Republic*)

Typical jungle melodrama, a feminine Tarzan is the central character in this 15-chapter serial. It is based on the Edgar Rice Burroughs story of the same title.

In the customary Burroughs manner, the girl, Frances Gifford, rides an elephant, swings the vine route and is continually endangered by a witch doctor who covets the power among the cannibals which her father, a doctor, possesses. The latter, however, is lured away and murdered by his twin, who returns as the doctor and attempts to grab the tribe's diamond mines. Tom Neal is on hand as a pilot for the crooks, unaware of their plot. Support is by Trevor Bardette, Gerald Mohr, Eddie Acuff and others. Based on the first two chapters, the serial appears almost too fantastic. The first chapter is 29 minutes and the subsequent chapters run about 18 minutes each.

"The Little Mole"

(*Harman-M-G-M*)

Here is a lively little color cartoon which should please. A young mole wanders from his mother's side and runs into Dr. Skunk. The latter prescribes a pair of glasses and as soon as he is fitted the young mole runs off in search of beauty. He finds some beauty and a lot of trouble but winds up safely in his mother's arms. Running time, 9 mins.

"All the World's a Stooge"

(*Columbia*)

The only apparent reason for the title of this Three Stooges comedy is that someone conceived of a pun on the comedy's players. Beyond that, this is typical Stooges material, which means funny for those that like them, and a few laughs for those who are indifferent. It involves the three comedians as amateur dentists, with amazing results, and posing as refugee children in a home of wealth, with some slapstick result. Running time, 16 mins.

"Hal Kemp And His Orchestra"

(*Warners*)

The old favorite, Hal Kemp, is back with his band in a musical short. Heard during the reel are such popular numbers as "I'll Be Missing You," "Trade Winds," "Begin the Beguine" and "The Workout." It is an entertaining musical short. Running time, 10 mins.

"Farm Frolics"

(*Schlesinger-Warners*)

In another of the "Merrie Melody" satires on travelogues, this color cartoon takes a trip through farmyards. Each animal is introduced and it "performs" for the "camera." This series has proved popular with audiences. Running time, 7 minutes.

Rep. Plans Release Of 15 July to Sept.

CHICAGO, May 22.—Republic plans to release eight features, seven Westerns and one serial during the first quarter of its new season, July through September, the company's regional sales meeting which opened at the Drake Hotel here today, was informed.

H. J. Yates, president of Consolidated Film Industries, Inc., and James R. Grainger, president of Republic, arrived from the Coast today to preside at the meeting. The new product was outlined today and sales policy will be discussed tomorrow.

Representatives of the Southern and Mid-western divisions are in attendance, including the following franchise holders: A. C. Bromberg, Atlanta; Sol Davis, Oklahoma City; Gilbert Nathanson, Minneapolis; R. F. Withers, Kansas City. Branch managers include: Lloyd Rust, Dallas; Henry Glover, Atlanta; Harold Laird, Tampa; L. V. Seicshnaydre, New Orleans; W. M. Snelson, Memphis; J. H. Dillon, Charlotte, N. C.; William Baker, Chicago; J. G. Frackman, Milwaukee; L. W. Marriott, Indianapolis; Nat Steinberg, St. Louis; F. R. Moran, Des Moines; Carl Reese, Omaha.

At a luncheon today, the following local circuit executives and exhibitors were present: John Balaban, Edwin Silverman, John Dromey, Henry Sticklemaier, James Costen, Alex Halperin, Jack Kirsch, J. J. Rubens, David Balaban, Harry Balaban, Elmer Balaban, Nate Platt, William Hollander, H. J. Fitzgerald, Sidney Spiegel, Emil Stern, Jack Rose, Walter Immerman, Abe Kaufman and Joe Kaufman.

Study Clearance For Army Houses

The industry's Committee for Cooperation with National Defense is working on clearance problems affecting the supply of films to Army post theatres, concurrent with indications that War Department officials are giving attention to suitable entertainment for Army personnel.

A. Julian Brylawski, MPTOA representative in Washington, is chairman of a committee working on the problem for 220 Army theatres. Other members are Nathan Yamins and E. C. Grainger, representing exhibitors; and Neil F. Agnew and Abe Montague, representing distributors. Individual attention is being given to the problem of clearance between Army theatres and houses in nearby cities. Individual adjustments have been determined upon as a more satisfactory method than the establishment of a general policy. Nearly 200 cases already have been submitted, and more than half are understood to have been adjusted, with the others expected to be cleared within a few weeks.

300 Anticipated at Luncheon to Stern

Approximately 300 exhibitors and distribution executives are expected to attend the luncheon at the Hotel Astor today at 1 P. M. for Charles Stern, recently appointed district manager in Chicago for United Artists. The luncheon is being tendered by local exhibitors and the Motion Picture Associates, of which Joseph Lee is president.

Sam Rinzler will be master of ceremonies.

CBS Completes Its Latin America Net; New Series Starts

CBS yesterday added affiliated stations in Haiti and Honduras, giving it blanket coverage of all 20 neighboring republics for its new long-wave network in Latin America. These two countries were the only two missing in the CBS chain, which now totals 66 Latin American stations.

The stations are in strategic cities in every republic. Most of the stations were signed by William S. Paley, president, during his Latin American tour last December.

The plan is to bring United States programs to Latin American listeners via their own long-wave stations. In remote parts of the interior coverage will be aided by short-wave transmission.

Broadcasting under the new plan started experimentally last Saturday, and while the full network will not start operating until about Sept. 1, CBS beginning tomorrow will inaugurate a new series, "Calling Pan America," originating in Latin America and short-waved back through WCAB, Philadelphia. The shows will be heard Saturdays 4-4:30 P.M.

The new outlets, announced by Edmund A. Chester, CBS Latin American director, include two stations in Port-au-Prince, capital of Haiti, and one in Tegucigalpa, capital of Honduras. In Haiti the stations are HHW and HH3W, both owned by G. Ricardo Widmaier, Jr., and in Honduras it is HRN, owned by La Vox de Honduras, headed by Rafael Ferrari.

Approves Report For Fox Theatres

N. Y. Supreme Court Justice Felix A. Benvenga yesterday approved the inventory and accounting filed by the trustees of Fox Theatres Corp. in which a profit of $10,645 for 1940 was set forth. The court also ordered the payment of ½ of 1 per cent dividend to all creditors of the company, and allowed fees of $6,000 to Hirson and Bertini, attorneys for the trustees; $2,500 to Kenneth P. Steinreich; $1,875 to Milton C. Weisman; and $625 to Leopold Porrino, the trustees.

The report of the trustees showed cash on hand of $167,937, of which $80,000 is set up as a reserve for the payment of possible claims of William Fox. A profit of $10,000 for 1941 is predicted in the report, which sets forth estimated receipts and expenditures for the coming year.

'U' Bookers Meet in Los Angeles Today

LOS ANGELES, May 22.—The third and last of a series of regional Universal meetings for branch bookers, auditors and branch operations executives, will be held at the Ambassador Hotel here tomorrow and Saturday.

Attending from the home office are F. T. Murray, branch operations manager, and J. J. Jordan, contract playdate manager. From the exchanges are: Thomas McMahon, Denver; Charles McBride, San Francisco; Nicholas Lamantia, New Orleans; E. H. Smith, Salt Lake City; H. F. Anderson, Portland; A. M. Kallen, Seattle; Edward Cooke and Harold Whitman, Los Angeles.

Alert,
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and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
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L. 49. NO. 102 NEW YORK, U. S. A., MONDAY, MAY 26, 1941 TEN CENTS

Allied Board To Study Drop In Attendance

Decree Also on Agenda At Cleveland Today

Cleveland, May 25.—The Allied States board of directors will tackle the problem of declining theatre attendance in the face of increased employment and national defense spending at a special meeting at the Cleveland Hotel here tomorrow.

Abram F. Myers, chairman and general counsel, and H. A. Cole, president, will be in charge of the meeting.

Other subjects to be taken up at the meeting include: the effect on attend-

(*Continued on page 6*)

Canada Extends Tax To All Amusements

Ottawa, May 25.—Canadian Finance Minister Ilsley has obtained House of Commons approval of an extension of the Dominion 20 per cent tax on film theatre receipts to other forms of amusements, with a provision for exemptions at the discretion of the Minister of National Revenue.

The extension answers one of the protests of Canadian exhibitors to the new tax, which went into effect last Monday. Theatre men had protested against the restriction of the levy to film houses only.

In general the new tax would apply to amusements for which admission is

(*Continued on page 7*)

Koerner Plans First Tour of RKO Circuit

Charles E. Koerner this week plans to leave on his first tour of RKO theatres since assuming operating charge of the circuit, it is reported. He will visit Boston and New England first and then Chicago, Cleveland, Cincinnati and possibly also the Pacific Coast. Prior to becoming Western head for the circuit, he was in charge of its New England theatres.

It is further reported that Koerner has not determined on his successor to head the Pacific Coast division, and it is said that any reports of imminent changes in the circuit are not authoritative because Koerner has not decided on any.

Koerner at 2:30 P. M. today will have his first trade press conference since becoming RKO Theatres head.

10,000 Theatres Aid U. S. Defense, Bernhard Reports

More than 10,000 of the nation's theatres are now participating in the work of the industry committee cooperating for national defense, Joseph Bernhard, chairman of the theatres division, reported on Saturday.

"We hope to have 100 per cent exhibitor membership in the committee in a very short time," Bernhard said, "because the movement to share in the work is gaining momentum daily. As soon as an exhibitor understands that he is performing a patriotic duty in running these non-commercial reels, which are furnished gratis through the various departments of the Government, he is eager to sign a pledge of cooperation."

The films approved for showing in the theatres will cover every phase of the national defense effort, Bernhard pointed out, so that through their exhibition the theatres will help in aiding the public to understand the magnitude and importance of the defense effort.

The committee has available 1,000 prints of the first of several films on national defense which it will sponsor.

(*Continued on page 6*)

League Will Seek Writ on Nazi Film

An order of mandamus directing Frank P. Graves, New York Commissioner of Education, to restrain the distribution and exhibition of the film "Victory in the West" in the state of New York until a permit is obtained will be filed by theNon-sectarian Anti-

(*Continued on page 6*)

Anti-5 Measure Dies In Michigan Senate

Lansing, Mich., May 25.—The Snow anti-blocks-of-five bill died in Senate committee Friday night as the deadline for reporting bills expired. Sen. Earle W. Munshaw, committee chairman, said the committee took no action. The bill previously had passed the House with a nullifying amendment. The only similar measure passed to date is in Minnesota, while an anti-blocks-of-five bill was killed in Georgia.

Gov't Indicts Browne, Bioff For Extortion

George E. Browne, IATSE president, and William Bioff, his personal representative who last week was reinstated by Browne as his Hollywood deputy, were indicted by a Federal grand jury here on Friday on three counts of extortion.

They are charged with extorting $550,000 from four major film companies through threats to tie up the industry by a strike of the 35,000 IATSE members.

[In Los Angeles, U. S. Attorney William F. Palmer said that in view of the New York indictment, he would move for a new income tax evasion indictment of

(*Continued on page 7*)

British Ease Financing For Independent Firms

London, May 25.—The British Treasury has instituted new financial machinery applicable to independent distributors not included in last year's currency agreement, but subject to regulations on unremittable or blocked sterling.

Although the plan, which is voluntary, individualizes the money of the several companies involved, and removes the former cumbersome system, it apparently tightens Treasury control over the funds, while simplifying the machinery.

Hitherto all frozen money was held in one blocked account. Now the

(*Continued on page 6*)

Tri-States Will Try 'Junior Admission'

Des Moines, May 25.—A "junior admission price" to be operative in the Tri-States theatres here for a 30-day trial period starting May 30 was decided upon at a conference held by Myron Blank and G. Ralph Branton with the three Tri-States district managers, A. G. Stolte of Des Moines, Joseph Kinsky of Omaha and Herbert D. Grove of Davenport.

The present admission is 10 cents for all children under 12 years old

(*Continued on page 6*)

Major Bowes Resigns From B'way Capitol

Managing Director Since 1919, Leaves June 1

Major Edward Bowes, vice-president and managing director of the Capitol Theatre, flagship house of the Loew Circuit since its opening 22 years ago, has resigned, effective June 1.

The resignation, announced on Saturday by Messmore Kendall, president of Moredall Realty Corp., which owns and manages the Broadway house, was necessitated by the increasing demand on Major Bowes' time by his radio work.

Kendall stated that the resignation was accepted "with great regret."

Herman Landwehr, manager of the Capitol, will continue in that post, under the direction of Kendall, it was stated. Loew's, Inc., is a large stockholder in the theatre and provides the bulk of its product.

It was stated that in order to relieve Major Bowes of further demands on his time the Sunday broadcast of the "Capitol Family" radio program will

(*Continued on page 6*)

Columbia Shorts to Total 144 Subjects

Columbia's short subjects release schedule for the 1941-'42 season will consist of 144 subjects, including 104 single reels, 30 two-reel comedies, four serials and six "International Forums," representing an increase of 10 two-reel subjects over the current season's schedule.

Jack Holt will be starred in the four serials, "Holt of the Secret Serv-

(*Continued on page 6*)

Report Pascal Plans British Gov't Film

Montreal, May 25.—Gabriel Pascal is reported planning a film for the British Government, with some financial support from the British Ministry of Information reported as possible. The producer arrived here late last week with Harry D. Buckley, United Artists vice-president, and over the weekend the two were reported in Ottawa to seek Government sanction and also visiting in Toronto to inspect possible production facilties.

Page Bob O'Donnell

Des Moines, May 25.—A. H. Blank, who attended the Variety Clubs convention in Atlantic City, says he feels a Variety Club is definitely needed in Des Moines and that he personally will sponsor a club here. The Des Moines Variety Club was discontinued about 18 months ago.

Farewell Party Is Given for Barclay

Leading American illustrators were guests yesterday at a farewell party for MacClelland Barclay, who joins the Navy tomorrow, at the South Shore Yacht Club, Freeport, L. I. The party was sponsored by a number of artists, including Armando, Russell Patterson, Bradshaw Crandall, Dean Cornwell, Wallace Morgan, John LaGatta and Arthur William Brown.

Among those who had been invited were: Roy Howard, John D. Hertz, Jr., Tom Buchanan, Rudy Montegelas, Westbrook Pegler, Thomas Beck, John Powers, and a group of Powers' models.

The party was aboard Armando's 72-foot yacht, *Whippet,* and sailed to Jones Beach from Freeport. The members of the party were dressed in naval uniforms.

Junior Reviewing Group Meets Here

A convention of 4-Star Clubs, junior reviewing groups associated with the National Board of Review, was held at the N. Y. U. School of Education on Saturday with about 400 in attendance. Included on the program was an address by Leslie Roush, Paramount shorts producer, who also screened and discussed his latest "Quiz Kids" short.

Two films made by the East Side High School Club of Newark and Hoover High School Club of San Diego, Cal., also were shown. A forum on the clubs' activities followed. Helen Cahill of the National Board is head of the 4-Star Clubs.

Montana ITO Hits High Film Rentals

BILLINGS, Mont., May 25.—High film rentals were scored at the Spring meeting here of the ITO of Montana. The exhibitors pledged continued support for the national defense program. Joseph B. Moore, president, outlined the consent decree. The Fall meeting will be held here on Sept. 17.

Daytona House Opens

DAYTONA BEACH, FLA., May 25.—The new Daytona Theatre here, seating 1,000 and designed by Drew Eberson, opened here Thursday night, with ceremonies attended by Mayor Cunningham and other city officials.

13TH WEEK ON B'WAY
JEAN GABIN in original unexpurgated PEPE LE MOKO ★★★★ LIB. MAG.
Dist. by MAYER-BURSTYN

Personal Mention

LOUIS B. MAYER and HOWARD STRICKLING left for the Coast over the weekend.

•

J. CHEEVER COWDIN, Universal board chairman, is scheduled to arrive from the Coast today.

•

N. L. NATHANSON returned to Toronto over the weekend.

•

CLAY HAKE, Australasian manager for 20th Century-Fox, is expected here today. He arrived on the Coast from Sydney last week.

•

J. M. FRANKLIN, president of Franklin & Herschorn Theatres, St. John, N. B., has been honored by the Sisters of Charity in St. John for his aid to the local orphanage.

•

GAR MOORE, publicity director of the Mort H. Singer Orpheum and Liberty in New Orleans, has been elected president of the New Orleans Advertising Club.

•

HALL BAETZ, Fox Intermountain district manager at Salt Lake City, is touring Montana.

•

BERT HANSEN, CLYDE ANDERSON and JOSEPH KRACHER, managing the Rialto, American and Fox, respectively, in Butte, Mont., gave parties recently for their theatre staffs.

•

SEYMOUR MANHEIMER, son of JOHN MANHEIMER, executive secretary of the ITOA, and SUE COHEN are to be married June 8.

•

FRANK HUNT, head booker in Cleveland for 20th Century-Fox, is celebrating his 20th anniversary with the company.

JOHN JOSEPH, Universal advertising and publicity director, is expected today from the Coast for a visit of several weeks at the home office.

•

WALTER J. HUTCHINSON, 20th Century-Fox foreign chief, was host on Saturday to the company's foreign department personnel at his farm in Newton, Conn.

•

CARTER BARRON, Loew Theatre division manager in Washington, was a weekend visitor of WILLIAM K. SAXTON, Loew's, Baltimore.

•

WILLIAM BROWN, manager of the Metropolitan and Playhouse, Providence, has returned to work after recovering from an injury.

•

JOSEPH ANSTEAD, manager of the Elm Street Theatre, Worcester, Mass., has left for a vacation in Canada.

•

MORRIS DRUCKER, of the State, Cleveland, former assistant at the Poli, Worcester, visited Loew-Poli New Haven friends on his vacation.

•

LILIAN GROSSMAN, secretary to AUSTIN KEOUGH at Paramount, and JOSEPH J. HARVEY revealed over the weekend that they were married May 17.

•

TOM PETTEY left for the Coast over the weekend.

•

LEE BLUMBERG arrived in Jacksonville, Fla., over the weekend from Daytona Beach.

•

EDWARD COHEN, 20th Century-Fox manager in Venezuela, is due this week from Caracas.

•

SOL RENICK of the Universal home office is in Providence.

Saunders Treats Boys to Film Show

BRIDGEPORT, CONN., May 25.—As part of the annual trip to Washington arranged for its newsboys by the local *Post-Telegram,* Matt Saunders, manager of the Loew Poli Theatre here, arranged for a theatre party in Washington for them.

Following an annual custom, Saunders flew to Washington, and with the cooperation of Carter Barron, Loew division manager there, escorted the boys to a show at the Capitol, where they received special attention and were greeted personally by Ted Weems, master of ceremonies for the stage show.

David A. Lipton Will Wed Sylvia Schlang

David A. Lipton, director of advertising and publicity for Columbia, and Sylvia Schlang, secretary to Lester Baum, member of the City Council of New York, will be married on Wednesday. Lipton formerly was with Universal Pictures.

Summer Theatre to Open

TOLEDO, O., May 25.—The Lakemont, a Summer theatre, will open at Reno Beach, 20 miles from here, on July 1, with "Private Lives" as the initial play. Jan Lindermann of New York will be managing director. Ten plays will be presented in the two-month season.

'Kane' 4 Times Daily At Woods in Chicago

CHICAGO, May 25.—With the withdrawal of "Citizen Kane" from the Palace Theatre, the Woods Theatre, which is now exclusively showing the picture here, has changed its policy. The film is now being shown three times between 2:30 and 8 P. M. at matinee prices of 50c, 75c and $1.10, unreserved. The 8:30 P. M. show is reserved with prices scaled at 75c, $1.10 and $1.65. It formerly played only two shows daily at the Wood.

John Smith Rites Held

Film, theatrical and newspaper figures attended the funeral services on Saturday for John V. (Jack) Smith, drama editor of the New York *Journal-American,* who died Wednesday. A solemn requiem mass was celebrated in the Church of St. Catharine of Genoa, West 153rd St. Burial was at Calvary Cemetery, Queens.

Providence Critic Dies

PROVIDENCE, May 25.—Funeral services will be held tomorrow at his home in Fall River, Mass., for Bertrand K. Hart, 49, drama critic of the *Providence Journal,* who died Friday.

Studio Dance June 15

HOLLYWOOD, May 25.—The 20th Century-Fox Studio Club's annual dinner and dance will be held June 15 at the Florentine Gardens here.

Sam Smith to Seek Reelection by KRS

London, May 25.—It is understood here that Sam Smith, now president of Kinematograph Renters Society, British distributors' organization, will be a candidate to succeed himself as president. A final decision will be made at the KRS annual meeting scheduled for Tuesday.

Arrange Schedule Of Baseball League

The Motion Picture Baseball League has set the following schedule for the first half season: International Projector vs. M-G-M, today; NBC vs. Paramount, June 2; Universal vs. International, June 9, and Universal vs. Skouras, June 9.

The season started May 2 but all but four games scheduled were rained out. Of the games played, Paramount won two, and Skouras and Universal, one each. The games are played at George Washington High School field and at McCombs Dam Park.

Harry Marcus of Republic is president of the league; Morris Rosenbaum of Skouras is vice-president and treasurer, and Al Sicignami of Paramount is secretary.

Teamsters Picket Houses on B'way

Pickets of the Theatrical Teamsters Union appeared at Broadway houses having stage bands over the weekend following a dispute between the teamsters' union and Musicians Local 802 over the right of name bands playing in the presentation houses to carry their musical instruments into the theatres instead of having the theatrical transfer companies do the work.

It was stated by the teamsters' union that the picketing would be extended to legitimate theatres employing musicians.

Sam Dembow Upheld

The Appellate Division of the N. Y. Supreme Court has upheld dismissal of the $70,886 damage suit of David Stoneman against Sam Dembow, Jr., involving the disposal by Stoneman of the Empire Theatre, Portland, Me., to Publix in 1931.

MOTION PICTURE
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EXCLUSIVE PICTURES

JOE

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BUDDY

BAER

HEAVYWEIGHT TITLE CONTEST

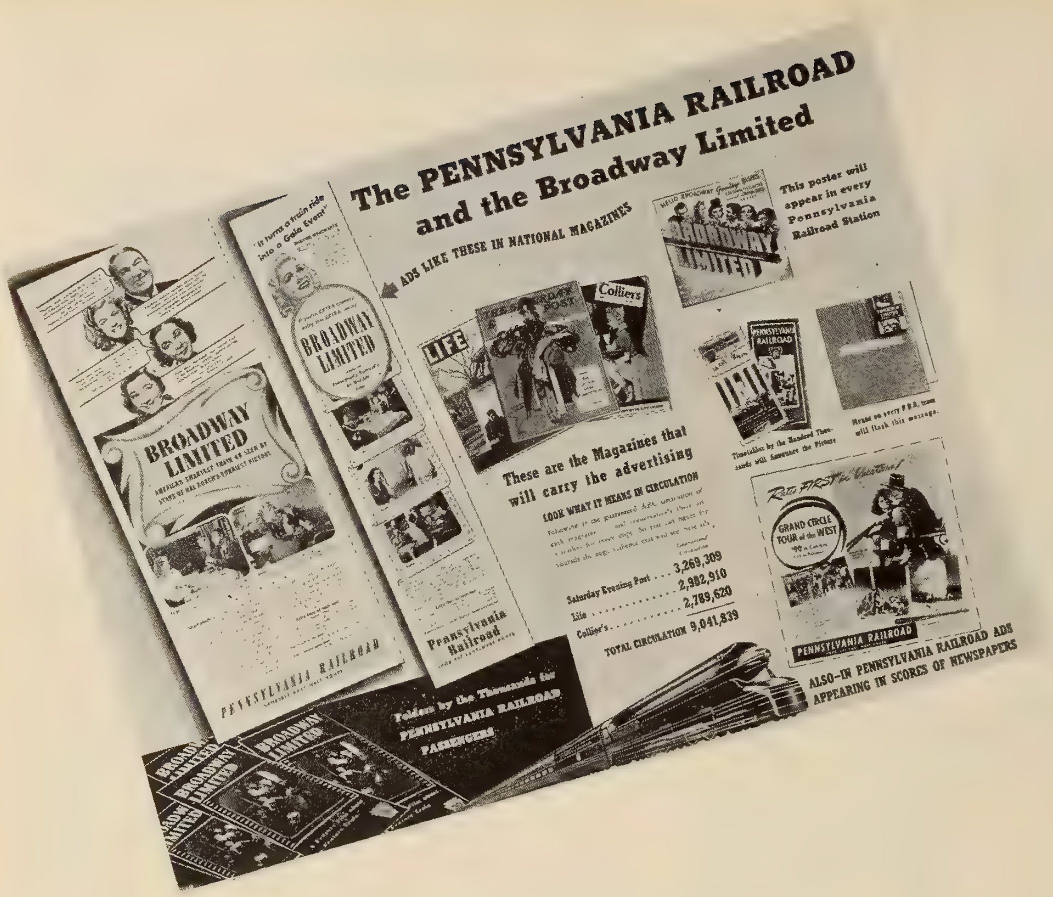
See *the Brown Bomber blasted out of the ring . . . .*

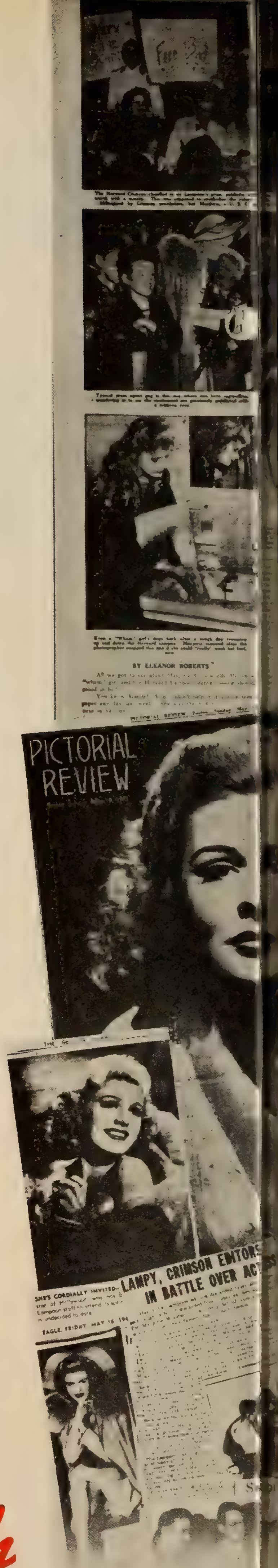
See *Baer downed three times in that much discussed sixth . . . .*

See *what actually happened when the referee made the decision that's got everybody talking.*

THE SCREEN'S MOST SENSATIONAL BLOW-BY-BLOW THRILLS!

WIRE OR PHONE YOUR NEAREST RKO EXCHANGE


The PENNSYLVANIA RAILROAD and the Broadway Limited
ADS LIKE THESE IN NATIONAL MAGAZINES
This poster will appear in every Pennsylvania Railroad Station
"It turns a train ride into a Gala Event"
BROADWAY LIMITED
LIFE
Colliers
These are the Magazines that will carry the advertising
LOOK WHAT IT MEANS IN CIRCULATION
Saturday Evening Post . . . 3,269,309
Life 2,982,910
Collier's 2,789,620
TOTAL CIRCULATION 9,041,839
Timetables by the Hundred Thousands will Announce the Picture
Menus on every P.R.R. train will flash this message.
GRAND CIRCLE TOUR of the WEST
PENNSYLVANIA RAILROAD
ALSO—IN PENNSYLVANIA RAILROAD ADS APPEARING IN SCORES OF NEWSPAPERS
Pennsylvania Railroad
Folders by the Thousands for PENNSYLVANIA RAILROAD PASSENGERS


BY ELEANOR ROBERTS
PICTORIAL REVIEW
LAMPY, CRIMSON EDITORS IN BATTLE OVER AC
EAGLE, FRIDAY, MAY 16, 194

Lucky Showmen

. . to get this smash campaign right in the pressbook, set to go to work for you! One of the year's most complete exploitation set-ups, tying in this fast-action comedy with the Pennsylvania Railroad's own fast-action train.

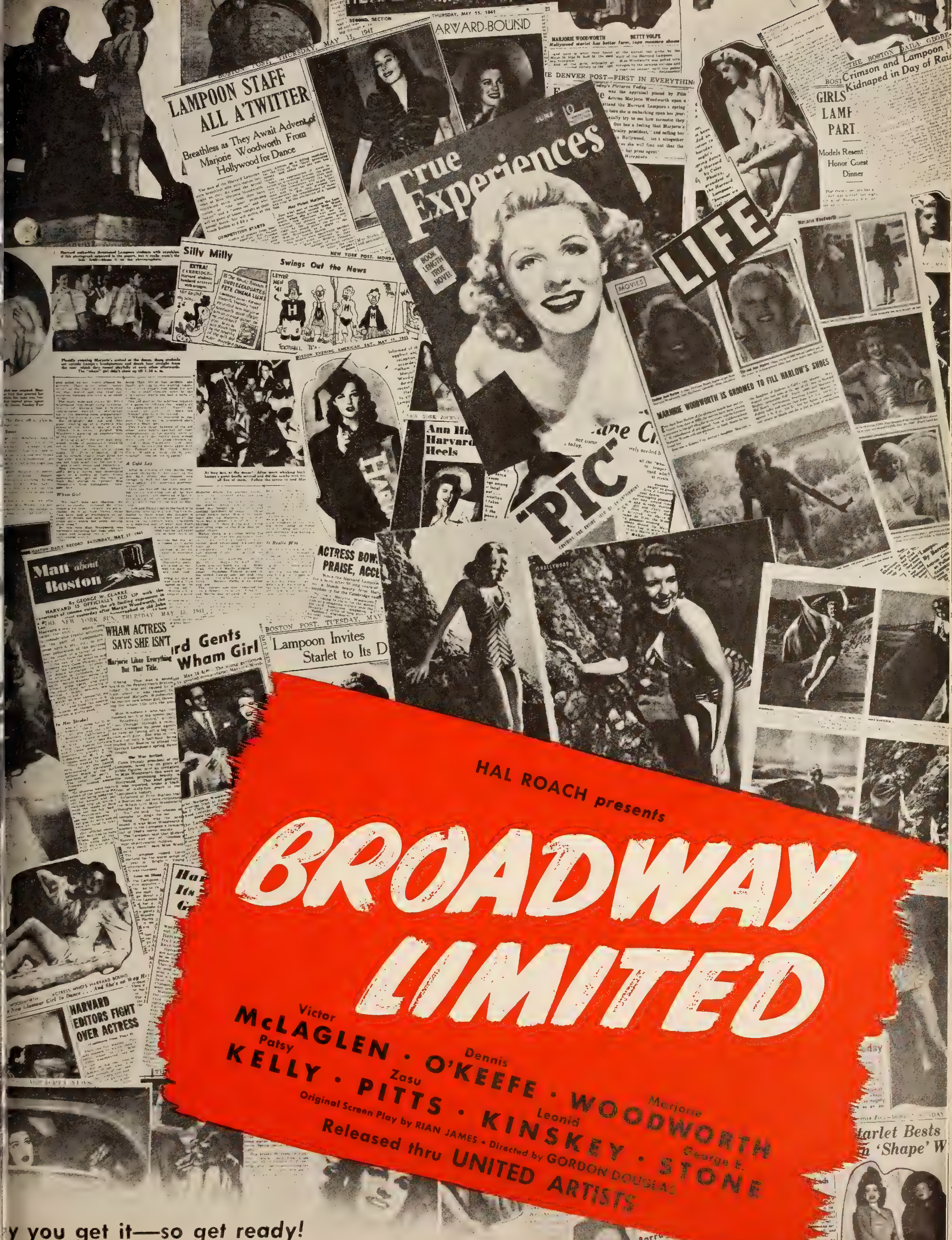
National ads in Saturday Evening Post, Life and Collier's reaching a guaranteed circulation of 10,000,000! Newspaper ads in every major city! Rotogravure ads in 80 leading newspapers! 3-sheets and 1-sheets in every railroad station serviced by the Pennsylvania! Millions of time-tables, millions of folders, millons of menu cards . . all telling audiences everywhere about "BROADWAY LIMITED"!

Lucky Star

. . zoomed to fame overnight as Life discovers her . . as Pic discovers her . . as national magazines discover her . . as the Variety Clubs Atlantic City Convention discovers her . . and as the Harvard Lampoon fetes her until **MARJORIE WOODWORTH** is red-hot copy in syndicated stories in newspapers everywhere. She's the year's most publicized personality!

Lucky June 13th

. . is the National Release Date. It's


THURSDAY, MAY 15, 1941
SECOND SECTION
HARVARD-BOUND
MARJORIE WOODWORTH
BETTY VOLPE
Hollywood starlet has better form, tape measure shows
BOSTON POST, THURSDAY, MAY 15, 1941
LAMPOON STAFF ALL A'TWITTER
Breathless as They Await Advent of Marjorie Woodworth From Hollywood for Dance
COMPETITION STARTS
THE DENVER POST—FIRST IN EVERYTHING
THE BOSTON DAILY GLOBE
Crimson and Lampoon
Kidnaped in Day of Ra
GIRLS
LAMP
PART
Models Resent Honor Guest Dinner
True Experiences
BOOK LENGTH TRUE NOVEL!
LIFE
MOVIES
MARJORIE WOODWORTH IS GROOMED TO FILL HARLOW'S SHOES
Silly Milly
Swings Out the News
NEW YORK POST, MONDA
EXTRA! CAMBRIDGE
LETTER MEN '41
FOOTBALL TEA
BOSTON EVENING AMERICAN SAT. MAY 17, 1941
Ann Ha
Harvard
Heels
PIC
A Cold Lot
Wham Girl
BOSTON DAILY RECORD SATURDAY MAY 17 1941
Man about Boston
By GEORGE W. CLARKE
THE NEW YORK SUN, THURSDAY, MAY 15, 1941
WHAM ACTRESS SAYS SHE ISN'T
Marjorie Likes Everything But That Title.
rd Gents
Wham Girl
BOSTON POST, TUESDAY, MAY
Lampoon Invites Starlet to Its D
ACTRESS BOW
PRAISE, ACCL
HOLLYWOOD
ACTRESS WHO'S HARVARD BOUND
New Glamour Girl to Dance
HARVARD EDITORS FIGHT OVER ACTRESS
tarlet Bests
'Shape' W

HAL ROACH presents

BROADWAY LIMITED

Victor **McLAGLEN** · Dennis **O'KEEFE** · Marjorie **WOODWORTH**

Patsy **KELLY** · Zasu **PITTS** · Leonid **KINSKEY** · George E. **STONE**

Original Screen Play by RIAN JAMES · Directed by GORDON DOUGLAS

Released thru UNITED ARTISTS

y you get it—so get ready!

Allied Board To Study Drop In Attendance

(*Continued from page* 1)

ance of advance publicity on pictures, previews and radio presentations, and the "undue number of war subjects"; the consent decree and arbitration, based on exhibitor experience to date, the outlook for the future and the results of Allied's recent survey of decree and arbitration experience.

Also: the "protection" of independent exhibitors under the new decree selling system, expected to start in July; Allied's film buying surveys; the Federal and state tax situation; the activities of the industry cooperating committee on national defense, together with the formation of local Allied committees to pass on "drives"; plans for the Allied national convention; quota payments on films; National Screen Advertising short subjects and a plan for stimulating theatre attendance proposed to Allied by G. M. Moses, as well as other topics which may be suggested by directors at the meeting.

Neufeld Gets Stories

Sigmund Neufeld, supervisor of Western films for Producers Releasing Corp., has acquired and will film nine outdoor stories by Johnston McCulley, according to company announcement. The stories will be used for the "Billy the Kid," "Lone Rider" and "Frontier Marshal" series.

British Ease Financing For Independent Firms

(*Continued from page* 1)

Treasury will permit the opening of film expense accounts into which the creditor companies may deposit unremittable money up to a maximum of £50,000 (approximately $200,000).

On the submission of a statement giving details of expenditures required, the Treasury will issue a general license covering payments from the deposits for working expenses and similar necessary items. It is believed further expenditures also would be sanctioned on application.

Independents Included

Typical American creditor independent companies not included in the major companies' withdrawal agreement are Republic, Monogram, Reliance and others whose product is distributed here through British Lion, Pathe and similar English distributing companies. Heretofore, each British distributor concerned was subject to financial quotas equivalent to the figures established under the withdrawal agreement between the British Government and the American major companies.

10,000 Theatres Aid U. S. Defense, Bernhard Reports

(*Continued from page* 1)

Prints may be obtained in either 300 or 700-foot lengths.

The first subject was made by M-G-M and features Private George Morton Reiter of the 72nd Air Squadron, Moffett Field, Calif. It was supervised by Frank Whitbeck in cooperation with the Air Corps.

First of 10 Savings Bond Films Released

WASHINGTON, May 25.—The first of 10 films to be contributed and exhibited by the motion picture industry to aid in the sale of the Treasury's defense savings bonds was released here yesterday. Each of the films will be attached to newsreels.

Jack Benny, Bud Abbott and Lou Costello, Carolyn Lee and Jane Withers are among those who appear in the campaign films. Howard Dietz, M-G-M advertising and publicity director, is in charge of the film campaigns.

The radio publicity division plans a series of broadcasts on CBS starting the first Wednesday in July and continuing for 13 weeks to further the sale of the bonds

League Will Seek Writ on Nazi Film

(*Continued from page* 1)

Nazi League today in the Supreme Court in Albany, it has been announced. The order also will ask that the "exhibitors and distributors be appropriately disciplined." The distributor of the picture is Ufa Films, Inc.

"Victory in the West," produced by the German Army, which is now showing in a Yorkville theatre, is stated to be scheduled to run for the next two months. Other theatres specializing in Nazi film also plan to run the picture, according to the League.

Seek New Principle

The Anti-Nazi League said that film is not a newsreel and must, therefore, obtain a license as a feature film from the Board of Regents before being shown. The League says that its suit will serve to establish the general principle that propaganda films of the type of "Victory in the West" are not newsreels.

The Anti-Nazi League has on several occasions protested to the State Department and the Department of Justice against allowing Ufa to distribute Nazi films in the United States on the grounds that these are outright propaganda vehicles produced by German Ufa, which is under the direct control of the Nazi Government's propaganda bureau.

Tri-States Will Try 'Junior Admission'

(*Continued from page* 1)

and over that age the full admission price is charged. The junior admission price is to be 21 cents plus the tax for all children from 12 to 16 years, and will admit them for 26 cents at the A theatres where the admission is 46 cents and 24 cents at the B theatres where 30 cents is charged.

Major Bowes Resigns From B'way Capitol

(*Continued from page* 1)

be discontinued for the summer. This broadcast originally was known as "Roxy's Gang," and was conducted by the late Samuel L. Rothafel. It was taken over by Major Bowes in 19[illegible] when Roxy left the Capitol to take charge of the Roxy Theatre.

Bowes joined Kendall in 1918 when the Capitol building plan was originated. The theatre was opened in 1919 as one of the first film "palaces." Stage shows flourished at the theatre under the Bowes' and Roxy regimes, and hundreds of famous stars played there under the Bowes direction.

Original directors of the Capitol, in addition to Bowes and Kendall, included the late Sen. T. Coleman duPont, George H. Doran, publisher; William Braden, prominent mining man; Robert W. Chambers, author; George Armsby, banker; James F. Bell, president of Washburn-Crosby Mills Corp., and Frank H. Hitchcock, former Postmaster General.

Bowes later became manager of Station WHN, in addition to his other activities, and on this station he originated his amateur hour.

Bowes was born in San Francisco in 1874. His first job was as an usher at a National Education convention, then he worked as a $3 per week office boy for a real estate firm. He continued in the real estate business and was active in the reconstruction of San Francisco after the earthquake and fire. He came to New York with John Cort and Peter McCourt, and owned and operated the Cort Theatre here and the Park Square Theatre in Boston.

Early in his career he was associated with the Selwyn Co. in play production and was a vice-president of the old Goldwyn Pictures Corp. and a vice-president of M-G-M until 1935. He was married to the late Margaret Illington. He is the author of a collection of poems.

Columbia Shorts to Total 144 Subjects

(*Continued from page* 1)

ice," "Captain Midnight," "Pirate Gold" and "Perils of the Royal Mounted."

The two-reel productions will be made up of eight "Three Stooges" comedies; 18 All-Star comedies; and four "Glove Slingers." The single-reel subjects will consist of: 16 Color Rhapsodies; eight Columbia Phantasies cartoons; eight Columbia Fables cartoons; 12 Columbia Panoramics, a new series; six "This Changing World," also a new series; 12 "World of Sports," narrated by Bill Stern; eight Cinescopes; 10 Screen Snapshots; eight Columbia Tours; six Columbia "Quiz" reels, and 10 Community Sings.

Take Over Camden House

PHILADELPHIA, May 25.—Abe M. Ellis, Martin B. Ellis and associates have added to their theatre operations in this territory by taking over the Parkside in Camden, N. J.

WHAT ARE WE, THE MOVIE BUSINESS, DOING ABOUT DEFFNSE!

HEAR

FRANCIS S. HARMON
Co-ordinator of the national committee

HOWARD DIETZ
Toastmaster

Guests of Honor—

George J. Schaefer — E. B. Hatrick
Joseph Bernhard — Martin Quigley
Y. Frank Freeman — William A. Scully

Barney Balaban, Joseph H. Hazen, William C. Michel,
Nicholas Schenck, Walter Vincent,
R. B. Wilby, Nathan Yamins

☆ ☆

AMPA Luncheon
Wednesday, May 28, 1941
HOTEL EDISON, New York

Gov't Indicts Browne, Bioff For Extortion

(*Continued from page* 1)

Bioff "covering a lot more territory." He said all witnesses would be recalled and additional ones summoned to cover developments to date and income allegedly received and not contained in the original true bills. Bioff has been free on the original indictment on $5,000 bail, with his case scheduled for trial in September.

[Though appointed Hollywood liaison officer for Browne assertedly to prevent labor trouble in the production of national defense films, a checkup over the weekend revealed that Bioff had not yet contacted Hollywood IATSE locals or established offices there.]

30-Year Sentence Maximum

The anti-racketeering offenses alleged are punishable by maximum prison sentences of 10 years and fines of $10,000 on each count. If convicted, Browne and Bioff each could be sentenced to 30 years in prison and fined $30,000.

The indictment, which contains two substantive counts and one alleging conspiracy, were returned under the Federal anti-racketeering law. It is the first of its kind returned in this district in which union leaders have been accused of collecting for themselves from employers on a threat to call a strike.

The indictment charges that the two IATSE officials obtained a total of $550,000 from Loew's, Paramount, 20th Century-Fox and Warners by threats of strikes over a period beginning about Nov. 1, 1935, and continuing up to the present.

Investigated by Correa

The indictment is reported to have resulted from an investigation conducted by Mathias F. Correa, United States Attorney, and two of his staff assistants, Edward J. Ennis and Boris Kostelanetz, on the basis of evidence uncovered by Treasury agents during the investigation and prosecution of the income tax evasion case against Joseph M. Schenck. It was developed during the trial that Schenck had made a purported loan of $100,000 to Bioff in June, 1937.

The indictment alleges that both the threats to call a strike and the receipt of the $550,000 occurred in New York, and that Browne and Bioff were aided in their acts by other persons not named.

The strike threat, it was said, was made in 1936, and at least $400,000 of the $550,000 mentioned in the indictment was paid by officials of the four corporations to Browne and Bioff in $1,000, $500 and $100 bills, according to the Government.

Browne, who also is a vice-president and member of the executive council of the American Federation of Labor, has been president of the IATSE since 1935. Prior to that he was head of the IA's Chicago Motion Picture Operators, Union, having succeeded Tommy Maloy, business agent of the union, who was shot and killed in that city.

Feature Review

"The Voice in the Night"

(*Columbia*)

THIS story of the small undercover handful in Germany who in the face of tremendous odds keep lighted the flame of liberty and free speech is a compelling one. Exploitable features of the film are its timeliness and thrill and adventure content.

Anthony Asquith, who directed "The Voice in the Night," has made a gripping melodrama out of one of the more outstanding efforts of the valiant band, the outlaw transmitting station called "Freedom Radio." With Clive Brook and Diana Wynyard in the leading roles, the story moves with a certain intensity from the beginning to the tragic, yet hopeful, end.

Made in England as a Two Cities Production, the picture has a number of obvious propaganda elements, which is to be expected from a country at war. It might have made better entertainment (and better propaganda) if the propaganda had been more subtly shaded, but it is a powerful story nonetheless.

The entire action takes place within Germany. Brook sees an old classmate (excellently portrayed by Morland Graham) dragged from the pulpit and killed for expressing anti-Nazi thoughts, sees his brother-in-law (John Penrose) join the storm troopers, and finds his wife (Miss Wynyard) adopting the Nazi ideology and becoming a Government official.

He finally rebels and, with the aid of a young radio mechanic (Derek Farr) sets up "Freedom Radio." A frantic search for the outlaw transmitter ensues. Shortly before it is found, however, Miss Wynyard discovers the Nazi duplicity and she dies with her husband when the station is finally located. As Brook is silenced by machine gun bullets, an auxiliary transmitter goes on the air with the calm announcement that "Freedom Radio" would continue to broadcast the next day in the usual manner.

Running time, 79 minutes. "G." EDWARD GREIF

**"G" denotes general classification.*

Three Arbitration Hearings Delayed

Three arbitration hearings scheduled for this week in New Haven, Philadelphia and Pittsburgh have been postponed.

New Haven's first arbitration case, scheduled for hearing today, has been postponed to June 23. The case is a clearance complaint brought by the Forest, West Haven, against the five consenting companies and names all New Haven theatres and the Rivoli, West Haven, as interested parties.

The clearance complaint of the Breeze Theatre, Philadelphia, against Warners, Paramount and 20th Century-Fox, also was scheduled for hearing today, has been postponed to July 9. M. R. Yetter is arbitrator.

The clearance complaint of the Majestic Theatre, Elwood City, Pa., against Loew's, RKO, 20th Century-Fox and Warners, which was scheduled for hearing at the Pittsburgh local board next Thursday, has been postponed to an indeterminate June date. Horace F. Baker is arbitrator.

Reel House Attempt Fails in Milwaukee

MILWAUKEE, May 25.—The second attempt at newsreel theatre here folded after a week's try. One-hour morning newsreel shows at Fox's Strand from 9 A. M. to 1 P. M. at 25 cents admission failed to pay and the house is back again on its regular policy of continued runs, opening at 11:30 A. M. The former Garden was converted into a newsreel theatre more than a year ago but closed soon.

Canada Extends Tax To All Amusements

(*Continued from page* 1)

charged, and where those admitted are spectators and take no part in the entertainment, Ilsley said. It is understood the Revenue Minister would have power to grant exemptions where performances are not held regularly or in accordance with a prearranged schedule, where there is no profit to the promoter or where the entire proceeds go to charitable, religious or patriotic causes.

Ilsley said one of the reasons for imposing the film theatre tax was because of an increase in theatre attendance.

G. J. Justin, Conservative member, said he was convinced Ilsley originally had intended the film theatre tax to be absorbed by the theatre and not passed on to the patrons. The Finance Minister replied, "That was not my intention."

In response to several suggestions of reduction in the tax rate during the Commons debate, Ilsley pointed out that the tax is on gross receipts, and exhibitors could charge any prices they liked for any class of ticket, and could even load the whole tax on certain classes of tickets.

To Pass Tax to Patrons, Decision in Nova Scotia

HALIFAX, N. S., May 25.—The Allied Exhibitors, organization of Nova Scotia theatre operators, meeting here, after a discussion of the new tax, decided that it should be passed on to the public. Two tickets will be used for each patron, one for the basic price, and the second for the new tax.

ANGELS WITH BROKEN WINGS
BINNIE BARNES • GILBERT ROLAND
MARY LEE
BILLY GILBERT • JANE FRAZEE • EDWARD NORRIS
KATHARINE ALEXANDER • LEO GORCEY • LOIS RANSON • LENI LYNN • MARILYN HARE
BERNARD VORHAUS, Director • Screen play by George Carlton Brown and Bradford Ropes • Original story by George Carlton Brown
A REPUBLIC PICTURE
MARY LEE
She's an angel...

Expect Ascap Network Pacts Closed Today

New Ascap licensing agreements with CBS and NBC may be concluded today or tomorrow, according to weekend indications following consecutive meetings held last Thursday and Friday.

No Change in Terms

No change in the terms accepted by Mutual is in prospect for either of the other networks in the event they conclude their agreements with Ascap. The current discussions which have been held, and which may be concluded today or tomorrow, have been concerned only with the permissible deductions which the networks will be allowed from gross income in order to arrive at the net income on which the Ascap royalty will be paid.

The Mutual contract terms of three per cent on net proceeds for the first four years of the contract and three and one-half per cent thereafter until Dec. 31, 1949, the expiration date, will be the same.

Decree Effective Monday

Indications are that a genuine effort is being made by all three to conclude agreements in time to close and sign new contracts not later than Thursday, so that the discussions will not drag over into the holiday weekend and thus overlap the effective date of Ascap's Federal consent decree, which is next Monday. The negotiators believe that new complications may arise to hamper the discussions once the decree becomes effective.

Station rates also will be the same as those offered Mutual and, as with the latter, there appears to be no demand for per program deals with Ascap, in preference to blanket agreements, despite the networks' insistence on such deals in the past.

16 in MBS Reject Pact

Sixteen stations affiliated with the Colonial network have voted not to approve the Ascap blanket contract with Mutual, but authorized Colonial to deduct the three per cent Ascap royalty on Mutual commercial programs carried by them, in order that Colonial may rebate the same to Mutual for payment to Ascap.

The stations will not broadcast any Mutual sustaining programs which call attention to Ascap music and will allow no deductions for such time. The deductions will be permitted for the sustaining time when Mutual ceases to call attention to the Ascap source, the stations resolved.

Colgate Signs for Lombardo Over CBS

Colgate-Palmolive-Peet has signed the Guy Lombardo orchestra for a series of programs over the CBS network from 8 to 8:30 P.M., on Saturdays, beginning July 5. Rebroadcasts are scheduled for 11 P.M. The deal was arranged through the Ted Bates Agency.

Roosevelt on All Webs

President Roosevelt's "fireside chat" tomorrow night will be heard on all major networks and overseas by short wave, beginning at 10:30 P. M.

Off the Antenna

LOUIS RUPPEL, CBS director of publicity, announced a new policy over the weekend which will permit soldiers, sailors and marines in uniform, to obtain tickets for broadcasts simply by asking for them at the new studio building. Posters have been distributed to army and navy camps to advise members of the armed forces about the availability of tickets.

• • •

Purely Personal: *Gerald M. Mayer has joined the NBC press department to handle news of the short wave division. Hugh Beach, formerly with the press department, has been transferred to the sports staff as assistant to Bill Stern. . . . Dr. John Barata, chief of the radio division of the Brazil department of propaganda, spoke over the NBC short wave Saturday. . . . Andy Woolfries has been named farm service director for KSO-KRNT, Des Moines. . . . Prof. John T. Frederick, who conducts "Of Men and Books" over CBS, will start a summer vacation June 21. Prof. Alpheus Smith will substitute on the program. . . . Robert Hodges of the WNEW purchasing department leaves on his vacation tomorrow.*

• • •

RKO, which sponsors a short wave program to Latin America over NBC, has an arrangement to ship transcriptions to 10 Latin American stations, for their use. High customs charges on records had made this somewhat expensive, until it was learned Friday that the duty is considerably less when the transcription is labeled in English rather than Spanish.

• • •

Radio accounts of big league boxing bouts will now span virtually the entire American continent, following arrangements made by Gillette Safety Razor Co. to broadcast the fight shows staged by Mike Jacobs on the Canadian Broadcasting Corp. hookup. Coverage of the United States and Latin America had been previously assured.

• • •

Program News: *Eddie Cantor will wind up his current season on NBC-Red June 25. His contract for next Fall has been renewed by Bristol-Myers. . . . American Tobacco Co. has renewed Kay Kyser's "College of Musical Knowledge" over 115 NBC-Red stations for an additional 13 weeks effective July 2. . . Philip Morris Cigarettes has renewed the George Putnam newscasts over WEAF for 13 weeks 11-11:15 P.M. Thursday, Friday and Saturday. . . . Procter & Gamble has renewed "Truth or Consequences" for an additional year, effective July 5. . . . Mutual will broadcast "Fight Camp," a new half-hour weekly dramatic program, Sundays 7-7:30 P.M. beginning June 8. . . . A new daytime serial, "Buck Private and His Girl," will make its debut over NBC-Blue today. It will be heard 10:15-10:30 Mondays through Fridays as a sustaining program. . . . "People's Playhouse" will change its format from a twice-weekly quarter hour show to a weekly half-hour program over WOR, beginning Friday.*

Seek Permit for FM Station in New York

WASHINGTON, May 25.—The FCC has received applications from the Debs Memorial Radio Fund, Inc., New York, for a construction permit for a new FM station to operate on 48,700 kilocycles, covering 8,600 square miles with a population of 12,300,000, and from the McKeesport Radio Co. for a new 1,360-kilocycle 250-watt daytime station at McKeesport, Pa., and Forward Wheeling Radio Corp. for a new 1,450-kilocycle, 100-watt station at Wheeling, W. Va.

Also submitted was an application by Station KMYR, Denver, for increase of night power from 100 to 250 watts.

Set Union Agreement At Scranton Station

SCRANTON, Pa., May 25.—Martin F. Memolo, president of the Union Broadcasting Co., and Graham Dolan, broadcast representative of the American Communications Association union, have announced the signing of an agreement covering wages, hours and working conditions of the employes of Station WARM, Mutual affiliate. The contract includes engineers, announcers, program department employes, office workers and salesmen.

No Action by FCC on Time for Lindbergh

WASHINGTON, May 25.—FCC officials have said they planned no action on reports that certain broadcasting stations had refused to provide time to Charles A. Lindbergh. They said they would not move in the matter unless formal evidence was presented that both sides of the question on which he was to talk had not been fairly presented, as required by the Communications Act.

It was explained that complaints are frequently voiced by persons who are refused time by broadcasters, but that there was nothing the commission could do in the absence of evidence of a violation of the law.

Hotel Man Promoted

Fay Thomas, assistant to Frank Andrews, president of the Hotel New Yorker, has been named vice-president and general manager of the Hotel Roosevelt in New Orleans, effective June 1. Thomas has made numerous exploitation tieups with theatre men.

Smoking Plea Denied

BUTTE, Mont., May 25.—The Butte City Council has refused Bert Hansen, Rialto manager here, permission to allow smoking in his theatre.

MBS Refutes Charges on FCC Report

Charging that "the radio industry and the public have been deluged with a storm of unfounded charges and misleading generalities tending to becloud the issues" [illegible]volved in the FCC's monopoly report, Mutual over the weekend issued a 15-page booklet analyzing the report and the Mutual-Ascap agreement.

> **"Mutual's Write Paper," as the network titles its presentation, declares: "The Commission's order does not go as far as other interests would have the industry, Congress and the public believe."**

The network's refutation of general charges denies that the report would abolish network broadcasting. It asserts that a station is not prevented by the new regulations from dealing solely with one network or from having first call on programs of the network with which it is affiliated.

Charges of 'Chaos' Denied

The booklet declares that the report will not bring chaos into the industry, as charged, unless competition is regarded as chaos. The report "does not paralyze freedom of the air but preserves it from private domination by a few individuals with headquarters in close proximity in New York and constantly exposed to the temptation of collusive understandings with each other."

Continuing, the booklet declares that "the surest and speediest route toward Government ownership is precisely that heretofore recklessly followed by the two older network companies, NBC and CBS."

Signed by Fred Weber

The "White Paper" is signed by Fred Weber, general manager, and approved in signature by Alfred J. McCosker, chairman of the board, and W. E. Macfarlane, president. Various sections deal with operation of two networks by NBC; an assertion that the proceedings were not initiated by Mutual; Mutual's "constructive" views on the regulations; Mutual's plans with respect to future proceedings; Mutual's resignation from the National Association of Broadcasters, and "accumulated abuses" eliminated by the order.

Ind. Court Affirms City License Power

INDIANAPOLIS, May 25.——The Indiana Supreme Court has ruled that the State Fire Marshal statutes do not repeal a city's power to regulate theatres, affirming a County Court decision in an action brought by the Hollywood Theatre Corp. here.

The theatre claimed the new laws made it unnecessary for the operators to take out a city license, but the state high court ruled that the law pertains only to the matter of fire hazard and does not deny the power of the city over health or similar matters. The court declared, "Provisions of the city ordinances fully justify the requirement of license fees irrespective of inspection and regulation."

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Accurate
and
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VOL. 49. NO. 103 NEW YORK, U. S. A., TUESDAY, MAY 27, 1941 TEN CENTS

Grosses Down 20-30%, Allied Board Is Told

Cleveland Meeting Hears Variety of Reasons

CLEVELAND, May 26.—The question of declining grosses throughout the country was surveyed here today by the board of directors of Allied States with President H. A. Cole of Dallas soliciting the opinions of the various regional representatives.

New Eastern Pennsylvania Allied committee to seek ways of improving business. See Page 8.

The consensus of the 17 who attended the meeting at the Hotel Cleveland was that box-office receipts were from 20 to 30 per cent below normal, despite the greater circulation of

(*Continued on page* 8)

RKO Closing Palace In Chicago, Others

RKO will shut down the Palace Theatre, Chicago, on June 26 for the summer. This was revealed yesterday by Charles W. Koerner, new general manager of RKO Theatres. Five other RKO theatres will also be closed for the summer. Three of these are already shut down. They are the Orpheum, Kansas City; Albee, Providence, and the Strand, Syracuse.

Other RKO theatres to be shut down for the summer are Grand, Columbus, on Thursday, and the Or-

(*Continued on page* 7)

All Networks Carry President's Address

All networks and stations will carry President Roosevelt's "Fireside Chat" at 10:30 tonight. Short wave stations will carry the talk with translations around the world. A number of stations will rebroadcast the speech from recordings several hours after it is made and again during morning and afternoon hours tomorrow.

Small Business Recession In Newark Blackout Test

By ALAN BRANIGAN

NEWARK, May 26.—Little slackening of theatre business was noted here last night, as Newark theatre operators did their share in cooperating with authorities on the test blackout of this city.

The experiment, first in the Metropolitan area, followed similar blackouts previously in Seattle and Pittsburgh, and was undertaken as a cooperative effort of city and state officials, Army observers and the newly formed Newark Defense Council.

Without exception, local theatre managers reported a hearty willingness to cooperate on the part of their audiences. Several downtown theatres, notably Loew's State, Warners' Branford and the Adams, planned their showbreaks to coincide with the midnight preliminary deadline. The

(*Continued on page* 8)

FCC Plans No Policy Change On Television

WASHINGTON, May 26.—Television interests were assured today that the FCC will not again reverse its decision to permit commercial operation despite the possibilities that aluminum and other priority commodities might serve to retard development.

306 to Seek More Rialto Operators

Projectionists' Union Local 306 will try to place an additional man or men in the Rialto when that house starts its television program, a spokesman for the union declared yesterday.

James L. Fly, chairman, expressing some concern over the effect of priorities on television and FM, declared the commission has no intention of em-

(*Continued on page* 7)

Ascap Loses Fight On State Statutes

WASHINGTON, May 26.—The U. S. Supreme Court in a unanimous decision handed down today refused to pass on the constitutionality of the Florida and Nebraska anti-Ascap laws, holding that attacks on the measures were prema-

(*Continued on page* 8)

Fight Film B.O. Stimulant; Proves Television Weak

By EDWARD GREIF

Coming as it did within two weeks after the demonstration of large screen television, the film record of the Baer-Louis fight demonstrated more conclusively than ever that television has a long way to go before it can hope to approximate the results achieved by films.

The principal difference was, of course, the clarity of the figures which could be distinguished only with some difficulty on television. Facial expressions, which were completely lost on the television screen, could be clearly discerned during the screening of the Baer-Louis fight pictures.

Although the chief advantage of the film camera—the ability to repeat the action in slow motion—was not utilized during the Baer-Louis fight, the monotony caused by a single camera and

(*Continued on page* 7)

By SAM SHAIN

Here is something fresh and alive which showmen can utilize to liven up and stimulate the box-office—that Joe Louis-Buddy Baer fight picture, at a time when the theatre turnstiles are getting rusty for lack of customers. The boys give an exciting exhibition of the manly art of fisticuffs before one of the clearest camera eyes yet focused on such a demonstration. As supporting film fare it should class as a cinch box-office attraction, anywhere. RKO is the distributor.

The clarity of the photography and the preciseness of expression on the in-fighting has been equalled only in simulated films of this kind. This picture is a natural piece of entertainment.

Some may be attracted to the picture by the newspaper controversy

(*Continued on page* 7)

Plan Theatre Organization For Defense

Karl Hoblitzelle So Tells Interstate Meeting

GALVESTON, Tex., May 26.—Considerable thought is being given at present to the thorough organization of theatres to aid the Government in national defense, Karl Hoblitzelle, Interstate circuit head, told about 250 managers of Interstate and Texas Consolidated circuits as they opened their biennial convention today.

"The theatre is the medium through which the aims and ambitions of the national Government can be brought most forcibly to the public," Hoblitzelle told the meeting. "Building the morale of our own people is important if we are going to measure up to the task ahead."

Hoblitzelle and R. J. O'Donnell, general manager, lauded the showmen for their efforts in community service and in business activity.

John R. Moroney, general counsel for the circuits, stressed the point

(*Continued on page* 8)

'Blood and Sand' Leads B'way Films

Broadway's front-line grosses reacted strongly over the weekend to cooler weather.

Three films which opened last week, "Blood and Sand," "I Wanted Wings" and "Penny Serenade," will be held over.

Business at the Roxy with "Blood and Sand" and a stage show amounted to about $32,000 Thursday through Sunday, which is very good.

"I Wanted Wings," playing at the Paramount with Vaughn Monroe's or-

(*Continued on page* 8)

Six Reviews Today

Five reviews from Hollywood: "Caught in the Draft," "Adventure in Washington," Page 6; "Billy the Kid," Page 7; "Naval Academy," "Men of the Timberland," Page 8. New York review of "The Bride Wore Crutches," Page 8. Short subject reviews, Page 6.

Coast Flashes

Hollywood, May 26

LOUELLA O. PARSONS will be among the speakers at the MPTOA convention here next month. She is scheduled to talk on "Radio versus Motion Pictures." The delegates will be guests at her June 13 "Hollywood Premiere" broadcast.

•

Republic today announced the purchase of Lew Brown's musical comedy, "Yokel Boy," which had a run on Broadway. The studio said negotiations are on to obtain some of the original cast, including Buddy Ebsen, for the film. The studio reported the purchase price as $50,000.

•

Samuel Goldwyn left by American Airlines tonight for a short stay in New York. He is accompanied by William Schneider of the Donahue & Coe agency and Lynn Farnol, who are returning East.

Schaefer and Breen Due Here Tomorrow

George J. Schaefer, RKO president, and Joseph I. Breen, RKO studio head, are expected in New York from the Coast tomorrow or Thursday for home office conferences. Breen is scheduled to take over his new RKO post on his return to the Coast.

Buys 'Meet the People'

HOLLYWOOD, May 26.—M-G-M has acquired film rights to the musical play, "Meet the People," which recently completed a five-month run on Broadway.

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Fly *direct* to Chicago—only 748 miles over United's Main Line Airway. 11 flights daily. Non-stop Mainliners from both New York and Chicago at 9 am, 3 pm, 5 pm (Standard Time).

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Personal Mention

T. J. CONNORS, Eastern, Southern and Canadian division manager for M-G-M, left yesterday for Atlanta and a trip through the South.

•

HOWARD LESIEUR, assistant to MONROE GREENTHAL, advertising and publicity director of United Artists, is ill.

•

REUBEN PORIT, manager of the Temple Theatre, Philadelphia, became the father of a son last week.

•

JOSEPH SACKO, chief of service at Washington Theatre, Chester, Pa., was the first theatre employe in Chester to be drafted.

•

WILLIAM HALLORAN, assistant manager of the M & P Capitol in Worcester, Mass., is the father of a son, born last week.

•

CAREY WILSON arrived yesterday from the Coast for a visit.

•

WOLFE KAUFMAN is in town from the Coast.

MATTHEW J. FOX, Universal vice-president, is expected here from the Coast next Monday to spend most of the Summer in the East. NATE J. BLUMBERG, president, is scheduled to leave for the Coast in June.

•

AL SCHUMAN of the Black Rock Theatre, Bridgeport, Conn., has returned from four weeks in Florida.

•

EMMETT CASHMAN, RKO traveling auditor, is in New Haven this week.

•

ED LYNCH, manager of the Warner Theatre, Worcester, Mass., left yesterday for a two-week vacation.

•

JOHN RAU, projectionist at the Colonial, Allentown, Pa., and CELESTE PERILLA were married last week.

•

MRS. GOLDIE WESHNER, wife of DAVID E. WESHNER, United Artists' exploitation head, was given a farewell dinner by the Ladies' Auxiliary of the Philadelphia Variety Club.

Will Hays Declines MPTOA Invitation

Will H. Hays has declined the invitation of the MPTOA to address its national convention at Los Angeles June 9 to 12. Hays, who is still resting at St. Luke's Hospital, Chicago, on advice of his physicians, will be unable to attend the convention because of numerous other demands on his time and the need for conserving his strength after leaving the hospital.

M. H. Hoffman Plans New Film Production

M. H. Hoffman, veteran independent producer-distributor, will resume activity during the new season as head of Liberty National Pictures Corp., he stated here yesterday.

The company, Hoffman stated, plans to produce and release 26 features for the 1941-'42 season, and to distribute an additional 12 to 18 pictures for independent producers under franchises. Distribution, Hoffman said, has been set for a number of territories and arrangements are being completed in others. Headquarters will be maintained on the Coast, his announcement said.

From Hollywood it was reported that M. P. Illitch is associated with Hoffman.

Hold Rites for Kalitz

PHILADELPHIA, May 26.—Funeral services were held today for William Charles Kalitz, noted theatre orchestra conductor, who died at his home here suddenly at the age of 46. He was in charge of music at different times at the Earle, Oxford and Carman here and the Showboat Theatre in Ocean City, N. J. His widow, two daughters and a son survive.

Rites Today for Garrett

HOLLYWOOD, May 26.—Funeral services for Otis Garrett, 36, film writer and director, will be held tomorrow.

James, Pioneer Ohio Exhibitor, Dies at 63

COLUMBUS, May 26.—William M. James, 63, pioneer exhibitor operating one of the first downtown houses in Columbus, died on Saturday at Grant Hospital after a long illness. With J. Real Neth, he operated the first local suburban circuit of five houses.

James formerly owned the Ada Meade and Kentucky, in Lexington, Ky., and the Tivoli, Toledo, O. He was president of the MPTO of Ohio for 12 years. He is survived by his widow and one daughter.

150 at Phila. Lunch Given to 'Pop' Korson

PHILADELPHIA, May 26.—Approximately 150 members of the industry turned out this afternoon for a farewell luncheon to Louis "Pop" Korson sponsored by the Variety Club at the Hotel Ritz Carlton. A gold watch was presented to Korson, a veteran exchange man, who leaves tomorrow for California to retire after 35 years in the industry.

Joseph Confers at 'U' Several Weeks

John Joseph, Universal advertising and publicity director, who arrived from the Coast yesterday, will be at the home office for several weeks to confer on campaigns for a large number of features which the studio either has completed or is finishing.

Fairbanks Body Moved

HOLLYWOOD, May 26.—The body of Douglas Fairbanks, Sr., was removed yesterday from a temporary vault next to that of Will Rogers to a $40,000 marble sarcophagus in the Hollywood Memorial Park. Charles Chaplin delivered a eulogy.

Wilson Collison Dies

HOLLYWOOD, May 26.—Wilson Collison, 47, prolific screen and stage writer, died over the weekend at his home in Beverly Hills.

U. S. Companies Aid British Raid Relief

London, May, 26. — The American Film Companies' Relief Committee has contributed additional sums for the relief of air raid victims, and has provided and equipped a "flying squad" of mobile canteens and service cars for use in the London area. The unit is designed to provide a new and improved type of mobile canteen service.

Pascal Uncertain on Canada Production

By PAT DONOVAN

MONTREAL, May 26.—Gabriel Pascal has declined to discuss his announced production plans for Canada, or to reveal the identity of his financial aides in the contemplated project, except to state that he likes Montreal's Latin atmosphere, being partly Latin himself.

Instead of establishing at Toronto, as United Artists first announced in his behalf, Pascal indicates that he will probably plan to establish here, rather than in Toronto, because he feels facilities are better here.

Pascal left for Windsor this evening and in trade circles it is reported that Pascal is seeking a financial backer.

The producer is reported to have a good connection with Associated News. Also, that his plan is to try to interest the Government in a subsidy if that will be possible.

Calvin Heilig Dies

PORTLAND, Ore., May 26.—Funeral services will be held here tomorrow for Calvin Heilig, 78, dean of Pacific Northwest theatre men. He died Sunday in his apartment in the theatre he built in 1910, now known as the Mayfair. Services will also be held Wednesday in Tacoma where Heilig maintained a home.

Fischer Back from Rio

Clifford Fischer has returned from South America and is reported to have plans for construction of a pleasure resort under Brazilian Government auspices at Rio de Janeiro. Confirmation from Brazil is lacking.

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DAILY
(Registered U. S. Patent Office)

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Go out and get the money. Get some action into your selling. Get some go-getting glamour into your lobby. Make that show-window of yours sizzle . . . dazzle . . . shimmer and shine. ★ Don't let the picture die. Display your show . . . display your faith in your own business. Don't let your theatre die. Don't let the big splurge on big pictures reduce your ordinary shows to the status of also-rans. ★ All pictures haven't got the same box office lure. But every picture has something in it somewhere that can be picked up and played to a fare-thee-well. ★ Keep your theatre alive . . . in the spotlight . . . in the public eye with a continuous dress-up policy. Publicize it . . . exploit it . . . advertise it . . . sell it. And let the Prize Baby help you.

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Hollywood's Favorite Comic

JOAN MERRILL
Broadway Night Club Sensation

BRENDA and COBINA
Bob Hope's Radio Riots

THE THREE STOOGES
Kingpins of the Zanies

RICHARD LANE
Filmdom's Most Versatile Personality

SIX HITS and a MISS
Vocalizers of Bob Hope's Radio Show

and

GLEN GRAY and his CASA LOMA BAND
America's Favorite Orchestra

Story by Bert Granet and Bert Lawrence · Screen play by Edmund L. Hartman · Directed by Sidney Salkow
Produced by Irving Starr

A COLUMBIA PICTURE

Short Subject Reviews

"Sockeroo"

(*Warners*)

Here is one of the funniest two-reel comedies to come to the screen in a long time. Starring "Slapsie" Maxie Rosenbloom, the subject is packed with laughs from start to finish and deserves special running time. Maxie, retired from fighting, enters college as a freshman. He is finally induced to re-enter the prize ring to aid a student fund drive. On the eve of the fight, a professor hypnotizes him and Maxie believes himself a poet instead of a fighter. Good, old-fashioned slapstick combined with good lines. Wacky is the word for it. Running time, 20 mins.

"Diving Thrills"

(*Columbia*)

One of the sport reels, this subject pictures with camera effectiveness the diving skill of such as the three Fairbrother Sisters, Elbert Root, Jackie Cullimore, Charles Diehl and Larry Griswald, the latter an acrobatic diver of amazing skill, who plays a drunkard in tails and top hat. Bill Stern, one of the ablest of sports announcers, is commentator, but his comment would have been more effective had it not attempted to be bright and clever. Running time, 10 mins.

"Sword Soldiers"

(*RKO-Pathe*)

This "Sportscope" looks into fencing instruction at West Point and explains the intricacies of the sport. Following the lengthy discussion on the subject the film turns to the always-impressive review on the parade grounds at the Academy. The fencing enthusiast, of course, will find the subject of special interest. Running time, 9 mins.

"Porky's Ant"

(*Schlesinger-Warners*)

A black-and-white "Looney Tune" which should draw many laughs. Porky, in search of rare bugs, seeks an African pygmy ant reputed to be worth $150,000. He discovers the ant's hiding place, but catching the ant is something else. The insect proves to be a likeable character and should be worth a return engagement. Running time, seven mins.

"The Ring and the Belle"

(*Columbia*)

The perennial Andy Clyde appears here in one of his weaker moments, with respect to the comedy material supplied. As a barber, prize fight manager, Andy has his troubles from two directions, a glass-jawed pug, and his wife, who objects to having the house cluttered up with hubby's sleeping beauties. Largely concocted with slapstick, the subject has a few laughs. Running time, 17 mins.

"Dizzy Kitty"

(*Universal*)

One of the Andy Panda cartoons in color, this pictures the manner in which a nondescript alley cat makes a fool of Andy's Pop, who is made to sound vaguely like W. C. Fields. His attempt to wash the cat results disastrously for him. Average of its kind. Running time, 7 mins.

Hollywood Reviews

"Caught in the Draft"

(*Paramount*)

Hollywood, May 26

HILARITY of a pitch and persistency seldom witnessed in a theatre swept the mixed audience of the Alexander Theatre in Glendale on the occasion of the previewing of this rookie comedy. Nobody on the premises doubted at the conclusion that this is destined to top all rookie comedies produced thus far this season and mayhap all of them presented during and since World War I, even though that would include the famed "Shoulder Arms," "Behind the Front" and many another grosser.

Chief rookie concerned in this cyclonic succession of comic sequences is Bob Hope, never funnier than here, and he is accompanied through his experiences by the gifted Lynne Overmann and the oncoming Eddie Bracken. Opposite Hope in the romantic relationship is Dorothy Lamour, as daughter of the commanding officer, played by Clarence Kolb, and the cast also includes Paul Hurst, Ferike Boros, Phyllis Ruth, Irving Bacon, Arthur Loft and Edgar Dearing.

Hope is presented as a Hollywood movie star "allergic to gunfire" whose efforts to escape the draft while pretending eagerness to enlist go awry, landing not only him but also his agent (Overman) and his manager (Bracken) in the army under command of an officer (Kolb) whose daughter (Miss Lamour) Hope has sought to marry for the purpose of escaping conscription. His courage is proved in a plausible exhibition of heroism in the finale, and his emotion for the girl shown to be genuine, but immense merriment has been dispensed in the time preceding this development.

Episodes of outstanding effectiveness as laugh producers are Hope's driving of a tank as directed by signals which are not the ones he believes they are, his adventures in a hospital while trying to retrieve his lost uniform, his deportment on the drill ground while newsreel cameras follow him, his opening and subsequent experiences in a picture studio and the scene in which he inadvertently enlists. There are many more.

Sure-fire as amusement and as box-office, if the preview response and the opinions of all present may be relied upon, the film is mayhap of further market significance as the first of two which Paramount assigned B. G. DeSylva to produce and the one on which he was engaged when the company decided to place him in charge of studio production.

Direction by David Butler is easily the best he has displayed in a long and successful career.

Running time, 80 minutes. "G."* ROSCOE WILLIAMS

"Adventure in Washington"

(*Columbia*)

Hollywood, May 26.

THIS second of the Charles Rogers productions for Columbia depicts the lives of Senate page boys while also concentrating on the reformation of one of their group.

Gene Reynolds portrays a tough youngster who comes to Washington as a page boy, under the aegis of the Senator enacted by Herbert Marshall. Gradually learning the values implicit in the boys' traditions, and learning, as well, from the radio reporter depicted by Virginia Bruce, the boy betrays his trust in a fit of pique when wrongfully accused of eavesdropping. In a dramatic and stirring finish, he is "tried by his peers," the page boys, and reinstated after having confessed, clearing the Senator's name.

Samuel S. Hinds and Ralph Morgan, and Vaughan Glaser, Charles Smith and Dickie Jones, as three of the boys, give a good account of themselves, while the three leading roles are convincingly handled.

Alfred E. Green directed the picture, with emphasis on patriotic and humorous overtones to the basic theme of the boy's characterization.

Running time, 85 minutes. "G."* W. S.

**"G" denotes general classification.*

Hearing on Bioff's Removal on June 5

LOS ANGELES, May 26. — Removal hearing for William Bioff, Hollywood IATSE leader, indicted in New York on extortion charges, has been set for June 5 in Los Angeles, where he has surrendered under $25,000 bail.

Browne Not Surrendered

CHICAGO, May 26.—It was reported that George E. Browne, IATSE president, indicted jointly with Bioff, had not surrendered by tonight.

Decision on Schine Particulars Reserved

BUFFALO, May 26.—The motion of the Schine Circuit for a bill of particulars and a more definite amended complaint from the Government in its anti-trust suit here was argued before Federal Judge John Knight in U. S. District court here today, and decision was reserved by the court.

Willard S. McKay, Schine attorney, and Seymour Simon, special assistant to the U. S. Attorney General, appeared at the hearing.

Short Subject Reviews

"Man the Enigma"

(*Producers Releasing*)

Unusual camera studies of insect and animal life, aided by graphic narration make this subject a highly interesting addition to screen material of the kind. However, the declared purpose of the subject, which is to demonstrat[illegible]at man and the higher types of an[illegible]s and insects are by nature "individualists" and, therefore, "democratic," while "regimentation or totalitarianism" are contrary to nature and the instincts of man, however true the theory may be, is not convincingly demonstrated by the picture. Its primary merit rests with the drama and mystery of natural life which the camera has captured. Stacy and Horace Woodward produced. Running time, 22 mins.

"Hunting the Hard Way"

(*Hill-Warners*)

Howard Hill, champion archer, has produced this entertaining short on hunting dangerous animals with bow and arrow and a rope. Hill demonstrates his skill and explains some of the fine points of the sport and then a hunt is started for a mountain lion. The killer is treed by dogs trained especially for the hunt and two cowboys move in to capture the animal with lariats. When the capture is completed, the animal is released and Hill completes the kill with his bow. Highly interesting. Running time, 20 mins.

"Take It or Leave It"

(*Columbia*)

Here is a film version of the popular Bob Hawk Sunday night quiz program. The radio following the program unquestionably enjoys should make of the short a salable item of screen merchandise. It is not clear whether or not the questioning is unrehearsed, but appears to have been rehearsed. The subject would gain immeasurably were the questionees actually taken by surprise, and a foreword assure the film audience of that fact. Running time, 10 mins.

"Alive in the Deep"

(*Producers Releasing*)

The struggle for existence within the sea and beside its shores is graphically pictured with all its commanding natural drama in this Stacy and Horace Woodward production. The subject is replete with excellent shots of the hunters of the deep at work, at play and in mating. Highlights include generous camera studies of sea lions and marine bird life, death struggles between the enemies of the deep and the sea hunters in search of their prey. Running time, 23 mins.

Vincent Suit Against Shuberts Is Settled

Suit of Sidney Wilmer and Walter Vincent for $125,000 damages against Shubert Theatre Corp. and Select Theatres Corp. was marked settled in N. Y. Supreme Court yesterday. Plaintiffs claimed 10 per cent of the net profits of the operetta, "Countess Maritza," alleging that they sold it to the Shuberts in 1925 on that basis.

Louis-Baer Fight Film B. O. Stimulus

(Continued from page 1)

over whether Joe Louis, the champion, delivered an after-the-bell blow in the final round of the bout, but it will take the sharpest of ears to catch the clang of the timekeeper's clarion. An official of the company points out that children are generally believed to possess more delicate hearing than grownups and so therefore perhaps kids will be better able to determine the issues involved—strange as this may seem.

The reel runs 18 minutes. It is the second fight reel to be distributed by a major company since the repeal of the interstate interdict against transportation of fight pictures. The other pictures were of the Armstrong-Jenkins fight.

Junior Baer, brother of Max, gives a whirlwind account of himself, demonstrating what sports writers call a "heart" but which the more precise gentry define as courage—par excellence. His stamina and his stalwartness and his intrepidness proved unfortunately of no avail against the superior craftsmanship of the champion. Once Baer knocked Louis from the ring. But that was not enough. The camera almost seems to get right between the fighters at times giving clear shots of uppercuts, left jabs and right swings with such definition perhaps not even glimpsed by ringsiders with the naked eye.

The confusion at the beginning of the seventh round is candidly photographed. However, whether any of Joe Louis' unofficial friends entered the free-for-all with Referee Arthur Donovan at this point is not clear. Only the sports writers and experts who witnessed the fight could distinguish such an intruder. In this sequence cameras and seconds are shown jumping across the roped arena and Donovan himself is seen clearly escorting someone who looks like he might be Ancil Hoffman, Baer's manager, out of the ring.

How the pictures stand up against the recent RCA television show of the Overlin-Soose fight is told in the adjoining column.

That fight was at the Garden and televised on a theatre screen less than a mile away from the spot of action. The Louis-Baer fight was presented at the Griffith Stadium, in Washington, D. C., and its natural celluloid form comes clear and true without angle distortion, lens fading or anything else.

The pictures were in RKO's metropolitan houses by noon Saturday, although the company didn't quite get a chance to notify exhibitors and the public about them.

FCC Plans No Policy Change on Television

(Continued from page 1)

barrassing the industry by an "in and out"attitude.

If there is any difficulty in getting started, Fly said, the radio companies undoubtedly will use the time for further research, thus improving their position for the time when supplies of necessary materials again become available.

Hollywood Review

"Billy the Kid"

(M-G-M) *Hollywood, May 26*

ALTHOUGH in fact the biography of an outlaw whose career is known in a general way to most Americans, this production is primarily a Western, or super-Western, embodying all the varieties of riding, shooting and law-breaking expected of a Western. In addition to a cast of Grade A names, and to a market advantage in the fact that newspaper columnists have made much of a reputed race between producers to get each of two versions of the subject into exhibition first, this production eclipses all other Westerns, and super-Westerns, in point of scenic background filmed in Technicolor so magnificently as to challenge the story and players for audience attention and interest in certain sequences.

Robert Taylor plays the outlaw as though to saddle born and Brian Donlevy gives a strong performance as his friend, who shoots him to death in line of duty. Ian Hunter dominates the portion of the picture in which he participates, as the man who keeps the outlaw on the straight and narrow for a while, and Gene Lockhart is effectively despicable as the arch-plotter of the community. Henry O'Neill, Lon Chaney, Jr., Guinn Williams, Cy Kendall, Grant Withers and Mary Howard, personifying the minor love interest, are among the many others in the cast.

Based on Walter Noble Burns' book, "The Saga of Billy the Kid," the Irving Asher production, directed by David Miller, seeks in no wise to ennoble the character but in many ways to explain it. Taylor enters the story as a bandit rescuing his friend from jail at gun point, goes on to acceptance of employment by crooked cattlemen, thence to deserting this gang to join the cowhands on a ranch operated by a cattleman determined to bring law and order to the West. Several times this man dissuades Taylor from going on the kill, in the interests of justice as he sees it, for his former associates. Finally this man is killed and Taylor can be restrained no longer. After tracking down and killing five desperadoes, he is confronted by his closest friend, now a deputy marshal, with a command to surrender. Refusing to do so, he permits himself to be shot down by him.

Running time, 80 minutes. "G."* ROSCOE WILLIAMS

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*"G" denotes general classification.

Fight Films Prove Television Is Weak

(Continued from page 1)

a single angle during the television show was avoided brilliantly during the shooting of the Baer-Louis set-to by shots of the in-fighting taken from the floor of the ring with the camera pointed up.

Skillful mixture of long shots and closeups, plus the elimination of the dull between-rounds intermission, made the film as exciting to watch as as a coincidental telecast could be. Photographers' flash bulbs caused negligible interference with the film although they were a major source of annoyance at the telecast of May 9.

New Complaint Here; File 2 in Cincinnati

New York's 13th arbitration complaint and Cincinnati's second and third complaints were filed yesterday with the two local boards.

The New York case was brought by the Raritan Theatre, Somerville, N. J., on clearance, and names the five consenting companies and the Cort Theatre, Somerville, which has 21 days' clearance over the Raritan.

Both Cincinnati complaints were filed by Fred Rowlands of Columbus on clearance against all five consenting companies. One asks for an adjustment of the seven-day clearance which the Markham holds over his Parsons, and the other asks adjustment of the seven days' clearance which the Eastern has over his Main.

RKO Closing Palace In Chicago, Others

(Continued from page 1)

pheum, Champaign, Ill., on June 8.

Koerner stated that his company did not anticipate product buying difficulties under the forthcoming consent decree conditions. Therefore, no changes in the circuit's film buying operations are contemplated at present.

Koerner revealed that consideration of a division manager for the Pacific Coast theatres, a position made vacant when he was promoted to head RKO's theatre operations, is not now before the company. This confirms MOTION PICTURE DAILY'S story of yesterday.

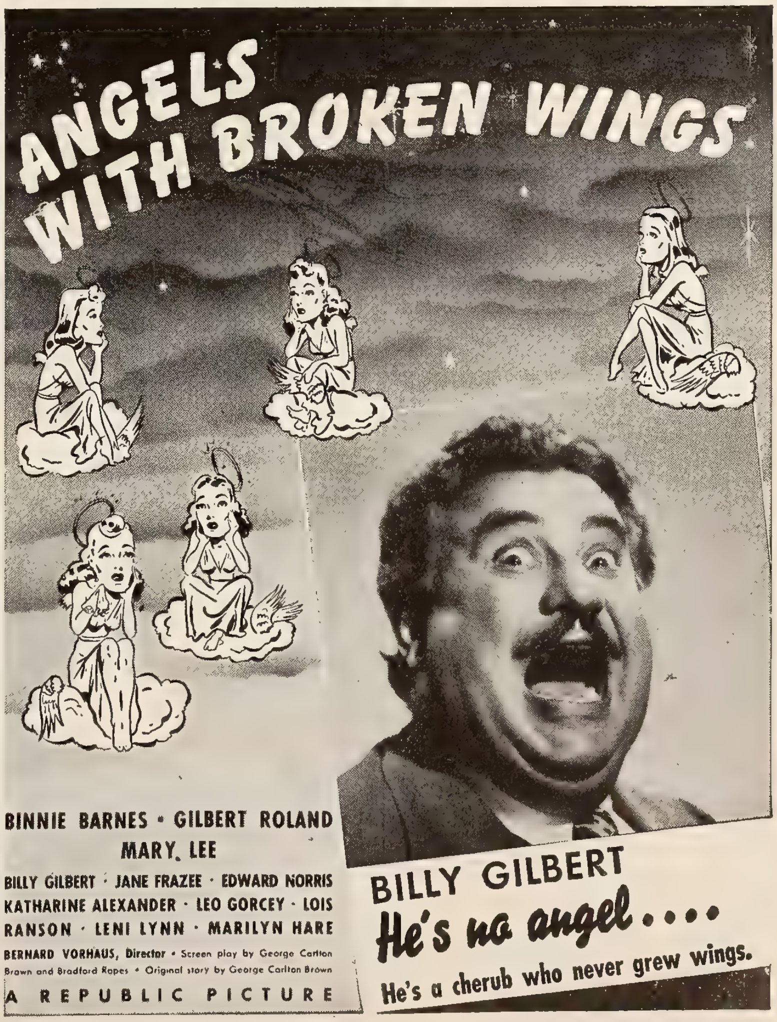
"We will take our time in selecting a man for that post," Koerner stated. "We want one who will best fill that position without upsetting our setup there."

Thus supervision of that division will continue directly under Koerner, with M. A. Anderson, manager of the Hillstreet, Los Angeles, as liaison.

Two new theatres are planned for the circuit. One which was announced several weeks ago is now under construction, at Trenton, N. J., and another will be built at Forest Hills, L. I.

He estimated that it will require possibly another six months to complete the unification of Keith-Albee-Orpheum with the rest of RKO Theatres.

Koerner emphasized also that it is his intention to "sponsor and encourage" live entertainment on the circuit in houses where it has been demonstrated such shows command trade.


ANGELS WITH BROKEN WINGS
BINNIE BARNES • GILBERT ROLAND
MARY LEE
BILLY GILBERT · JANE FRAZEE · EDWARD NORRIS
KATHARINE ALEXANDER · LEO GORCEY · LOIS RANSON · LENI LYNN · MARILYN HARE
BERNARD VORHAUS, Director • Screen play by George Carlton Brown and Bradford Ropes • Original story by George Carlton Brown
A REPUBLIC PICTURE
BILLY GILBERT
He's no angel....
He's a cherub who never grew wings.

Pa. Allied Sets Committee for Business Aid

PHILADELPHIA, May 26.—An anonymous policy committee of six to devise plans for improving business was authorized at a closed meeting of the Eastern Pennsylvania Allied on Friday, it was announced today by Sidney E. Samuelson, business manager. Names of committeemen are kept secret "to protect the men from reprisal," the resolution stated.

The committee is to act as consultant to Samuelson on all policy matters and committee proposals will be reported to the board of governors by the business manager before any plans are undertaken.

Although all Allied members have pledged full aid to national defense, drives under private or industry sponsorship which seek theatre cooperation must first be approved by the committee, it was announced.

Also discussed at the meeting, which was attended by 55 members representing 90 houses, were the buying outlook under the consent decree; forcing of shorts; non-delivery of short subjects sold under a weekly payment plan without giving the exhibitor the proper credit or cash refund; the reported attitude of some unnamed exchanges toward independent exhibitors, and the Federal tax bill.

Grosses Are Down 20-30%, Allied Told

(Continued from page 1)

money as the result of the defense boom, it was stated after the meeting.

Some representatives, giving the viewpoint of the smaller towns, asserted the slump was due to the trend of pictures being produced, it was reported. They felt many were too sophisticated and were turned out for only the metropolitan audiences, it was asserted. Others contended the defense drive itself was to blame, the extra hours required in armament production leaving the average theatregoer too tired at the end of the day's work to attend the theatre. It was believed, too, increased pay checks were being used to buy homes, furniture and automobiles, and similar investments, rather than entertainment.

The members attending were Sidney Samuelson, Philadelphia, representing Eastern Pennsylvania; Ray Branch and Pearl Spoth of Michigan; Jack Kirsch, Illinois; Fred Herrington, Pittsburgh, Western Pennsylvania; Nathan Yamins, Fall River, Mass., New England; Lee Newbury, New Jersey; Martin Smith, president of the ITO of Ohio; Joseph Trunk, Southern Ohio; H. A. Blum, Baltimore; William Ainsworth, Milwaukee, northwest territory; John Kalafat, Henry Greenberger and George Erdman, all of Cleveland, Northern Ohio. Abram Myers, Allied vice-president and counsel, also participated.

The question will be taken up tomorrow from the local viewpoint by 150 members of the ITO, with Smith presiding.

Feature Reviews

"Naval Academy"

(Columbia)

Hollywood, May 26

COLUMBIA'S "Naval Academy" deals with the adventures of three boys from different environments brought together as classmates under strict discipline in an institution preparing youth for Annapolis. The story of the transformation, and subsequent regeneration, of the lads' lives, while none too original, is told refreshingly, smoothly and plausibly in a picture which has no feminine contingent.

Featured as the youths are Freddie Bartholomew, Jimmy Lydon and Billy Cook. Supporting them are Pierre Watkin, Warren Ashe, Douglas Scott, Warren Lloyd, James Butler, Joe Brown, Jr., David Durand, Tommy Bupp, John Dilson and William Blees.

Erle C. Kenton's direction made of this good, meaty entertainment for family audiences. One of the lads, from a reform school, hates the Navy and its traditions because his father, a hero, was crippled in a battle. Another is a wealthy lad placed in the school by his father who wants him disciplined. The third is a lad brought up in Navy tradition, his forebears having been Navy heroes.

Running time, 65 minutes. "G."* VANCE KING

"Men of the Timberland"

(Universal)

Hollywood, May 26

ANOTHER in the series of Richard Arlen-Andy Devine vehicles, "Men of the Timberland" hits the bull's eye in the action field. It is a story of violence in the North Woods, of timber thieves, and the fight of forest rangers against illegal timber cutting. Producer Ben Pivar and director John Rawlins effected a mounting rich in breathtaking scenery, shots of actual logging operations and other impressive sights.

Supporting the stellar pair are Linda Hayes, Francis McDonald, Willard Robertson, Paul E. Burns, Gaylord Pendleton, Hardie Albright, Roy Harris, John Ellis and Jack Rice.

Easily the best of the series, the film has Arlen in the role of a forest ranger exposing a plot to denude a huge section of forest. While getting evidence, several of the rangers are killed and Arlen is joined by Devine, the leader of the lumber workers, in attempting to discover the killers.

A press audience in a projection room was favorably impressed.

Running time, 60 minutes. "G."* VANCE KING

"The Bride Wore Crutches"

(20th Century-Fox)

THIS is undistinguished cub reporter fiction with Ted North as the youthful journalist who outwits the veterans by capturing a band of bank robbers, and Lynne Roberts, the ace newspaper woman who provides North with the necessary inspiration.

As in previous films on the subject, the cub at first muffs a few story opportunities and becomes greatly discouraged. Spurred on by Miss Roberts, he undertakes to bring in the scoop of the year. He poses as an outlaw from the Midwest, joins the crooks and brings about their apprehension in the midst of a bank holdup.

Edgar Kennedy is the police captain and Richard Lane is the dynamic editor, both vexed considerably by North's early incompetence. Robert Armstrong and Lionel Stander have minor roles as members of the gang.

Running time, 60 minutes. "G."*

**"G" denotes general classification.*

Small Business Recession In Newark Blackout Test

(Continued from page 1)

actual blackout extended from 12:15 to 12:30 A.M. today.

RKO Proctor's and the Paramount-Newark placed extra ushers at exits and firemen were stationed at strategic points. All marquee and lobby lights were extinguished during the blackout period. Some film audiences were disturbed when they emerged into the darkened streets, but in general a holiday mood pervaded the crowds at the busy downtown intersections. More than 15,000 people were gathered downtown, and the streets were jammed with cars halted in the blackout.

WOR, official radio station for the blackout, had observers in local skyscrapers, at Defense Council headquarters, cruising the streets in mobile units, and aloft in observation planes. Authorities praised the radio handling of the blackout.

Partially linked to Newark's power system, nearby towns were affected.

Plan Theatre Organization For Defense

(Continued from page 1)

that no individual in the organization is too small for his efforts not to count in the results of the enterprises.

The recent Gallup survey on theatre attendance, which found that 32,000,000 people who could attend theatres were not regular customers, was the principal topic at a managers' forum which occupied most of the afternoon.

Raymond Willie and William O'Donnell, in charge of theatre operations, outlined the success that had attended various plans for increasing patronage that were tried out this season. Jack Chalman and Charles Meeker discussed advertising plans.

The convention, being held at the Galvez Hotel, will continue through Thursday, when representative distributor, exhibitor and producer guests will attend. Leonard Goldenson, Paramount theatre head, is here from New York to attend all sessions. Harry L. Gold, vice-president and Eastern general sales manager of United Artists, is due tomorrow from New York.

A-Mike Vogel, chairman of the Managers Round Table of *Motion Picture Herald,* leaves today via Eastern Airlines to address the convention on Thursday.

Ascap Loses Fight On State Statutes

(Continued from page 1)

ture because no attempt has been made to enforce them.

Although the court left the way open for Ascap to return for a test of the constitutionality of the laws in the event they are enforced, much of the opinion was unfavorable to Ascap.

The court not only stated that the lower courts erred in granting Ascap injunctions which restrained the state authorities from enforcing the laws but also declared that the Federal Copyright laws do not grant copyright owners "the privilege of combining in violation of otherwise valid state or Federal laws."

Dismissal of the Ascap injunction suits won in the lower courts was ordered in the opinion, delivered by Associate Justice Hugo L. Black.

'Blood and Sand' Leads B'way Films

(Continued from page 1)

chestra, was good for about $24,000 Saturday and Sunday and will finish its first week tonight with an estimated $50,000 expected.

At the Music Hall, "Penny Serenade" with a stage show grossed in the neighborhood of $58,000 Thursday throught Sunday.

"Major Barbara" at the Astor brought an estimated $6,000 over the weekend. Last week the film did about $12,000.

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V L. 49. NO. 104 NEW YORK, U. S. A., WEDNESDAY, MAY 28, 1941 TEN CENTS

Roosevelt's Speech Sends Grosses Down

Largest World Audience Hears Radio Talk

By EDWARD GREIF

An audience believed to be unprecedented in size in the history of radio had receivers tuned to hear the declaration of an "unlimited emergency" by President Roosevelt last night. Short wave transmitters carried the speech and translations of it around the world in six languages.

The speech, generally expected to be the most momentous since March 4, 1933, when the President was first in-

(*Continued on page 8*)

How the speech affected theatre business in key cities will be found on Page 8.

Republic Regional Meeting Held Here

Republic's two-day Eastern regional sales meeting opened yesterday at the New York Athletic Club with Herbert J. Yates, president of Consolidated Film Industries, and James R. Grainger, president of Republic, presiding.

Attending the sessions are: G. C. Schaefer, vice-president and general manager; J. J. O'Connell, head of the accounting department; Sidney Picker, New York office manager; Walter Titus, A. L. Pindat and John P. Curtin, home office representatives.

Franchise holders attending include: Nat L. Lefton, Cleveland and Cincinnati; Jake Flax, Washington; Sam A. Fineberg, Pittsburgh. Branch managers include: Jack Bellman, Buffalo; M. E. Morey, Boston; Lloyd Rust, Dallas; Max Gillis, Philadelphia; Sam P. Gorrel, Cleveland; George Flax, Washington; George H. Kirby, Cincinnati; Sam Seplowin, Detroit; Arthur Newman, Albany. Also, Al Gregg, Cleveland publicity man.

Ampa Team Captures Film Daily Tourney

The Ampa foursome, captained by Monroe Greenthal, was the winning team in the 29th annual Film Daily Golf Tournament at Glen Oaks Country Club at Great Neck, L. I., yesterday, in which about 200 participated.

A leg on the Albee Memorial

(*Continued on page 8*)

Illinois House Group Approves Show Limit

Springfield, Ill., May 27.—The Sandquist bill limiting the length of film programs to 135 minutes unless a 15-minute intermission is provided every hour was recommended for passage by the House public health committee here today by a vote of six to one.

The measure now goes on the House calendar. Edward G. Zorn, Pontiac exhibitor and president of the United Theatre Owners of Illinois, was the measure's chief opponent at the committee hearing.

Interstate Meeting Hears Decree Talks

GALVESTON, Tex., May 27.—Explanation of the New York case consent decree effect on theatre operations and film buying, together with the clearance problems involved, was the highlight of the second afternoon session of the biennial meeting here of the Interstate and Texas Consolidated circuits' managers.

Richard Stout, a member of Interstate's legal staff, and R. J. O'Donnell, general manager, outlined various phases of the decree.

There were further discussions on advertising, and neighborhood operation. Army camp activities and book-

(*Continued on page 5*)

Para. to Set First 5-Blocks at Coast Parley Next Month

Paramount's first two blocks-of-five features will be selected by company officials at an executive meeting at the studio about the middle of June. Selling of the features under the new consent decree method will be begun by the company's sales force shortly thereafter.

The company has no plans for a sales convention at this time and, unless the need for one becomes more apparent than the sales department now believes it be the case, it is unlikely that a national meeting will be held this year.

Neil F. Agnew, vice-president in charge of distribution, is in Galveston attending the biennial meeting of the Interstate and Texas Consolidated circuits' managers. He had planned to hold a meeting with the company's Southwestern division branch managers there this week, but the meeting

(*Continued on page 5*)

Coast Unions Ask Studio Negotiations

HOLLYWOOD, May 27.—An immediate meeting to discuss studio unions' demands for new wage scales and working conditions was asked in a letter received today by the producers from IATSE studio locals.

The letter, addressed to Y. Frank Freeman, chairman of the producers' labor committee, ignored the regular producer labor contacts, Pat Casey and Fred Pelton.

20th-Fox Sets Sales Meeting Here July 9-11

350 Expected; to Reveal First Blocks of Five

Twentieth Century-Fox will hold its annual national sales convention at the Waldorf-Astoria here July 9, 10 and 11, Herman Wobber, general sales manager, announced yesterday.

About 350 are expected to attend the meeting.

All salesmen and bookers from the 37 branches in the United States and Canada are scheduled to be present, in addition to the district and branch managers and home office officials headed by Sidney R. Kent, president.

An outline of the product planned for the new season, particulars of the features which will make up the company's first blocks-of-five and final instructions for the sales force on the new decree method of selling will be among the important subjects before the meeting.

The company's last convention in New York was in 1934. Since then the convention cities have been Hollywood, Chicago and Kansas City.

Smith Is Reelected As KRS President

LONDON, May 27.—Sam Smith, incumbent, today was reelected president of the Kinematograph Renters Society, to hold office through 1941-'42, at the distributor organization's annual meeting today. Smith's reelection was forecast in MOTION PICTURE DAILY several days ago.

The annual report of the KRS traces the operations of the distribution branch of the industry under the war conditions of the past year.

The report records the provision of films for the Army, Navy, Air Raid

(*Continued on page 5*)

In Today's Issue

Key city grosses, Pages 7 and 8. Hollywood production news, Page 7. Arbitration developments, Page 8.

Business Down Sharply; Varied Causes Are Cited

By SAM SHAIN

Business was good in March. Today it is substantially off. The decline has been sharp in the past several weeks. With two or three exceptions, such as Buffalo, Washington and Seattle, virtually every other important key center across the country reports an extraordinary slump, ranging from a decline of 10 per cent to 35 per cent.

The concern of the trade in this situation is indicated by the fact that exhibitor organizations everywhere are giving the problem serious attention.

Details of the *Motion Picture Daily* survey of theatre business in key cities will be found on Page 6.

MOTION PICTURE DAILY, as a service of information to the trade, has queried its correspondents, who cover the country from Coast to Coast, and in Canada, to inquire into the situation and its causes. Hundreds of showmen and business men have been interviewed.

They report the substantial decrease in recent business, but many exhibitors, both independent and circuit, have no explanation for the drop in business. Some, as in New York, were prone to feel that some psychological phenomena are occurring, or that the public is just sitting back and not going to pictures until something new and different can serve to shake it out of its lethargy.

None of those interviewed has ad-

(*Continued on page 6*)

CEA Reassured on Calling of Operators

London, May 27.—The British Ministry of Labor and the Board of Trade today formally advised the Cinematograph Exhibitors Association and the film labor unions that the Government intends to guarantee that no projectionists will be called for military service pending the completion of the Government's study of the personnel needs of the industry. The industry had sought exemptions to prevent a labor shortage and a manpower committee is studying the situation.

Warners Continue British Production

London, May 27.—Warners are continuing English production at the Teddington Studio, it was indicated today in an announcement by Max Milder, managing director of Warner activity in England, that the company has set its next two productions. The films will be "Atlantic Ferry" and "Death Over Portugal."

Other British production news of the day included a press luncheon held by Anglo-American Film Corp., celebrating the planned world premiere next weekend at the Odeon Leicester Square Theatre of "Love on the Dole." Toasts to the King and the British Navy were proposed.

Personal Mention

HASKELL M. MASTERS, United Artists Western general sales manager, has returned from the Coast and a tour of the company's Far Western exchanges.

•

S. A. Lynch is in town from Florida.

•

G. L. Carrington, vice-president and general manager of Altec Service Corp., has returned after two months on the Coast.

•

Thomas Goodman, booker at the Paramount Indianapolis exchange, and Mrs. Goodman are vacationing in South America.

•

William E. Schmidt, operator of two houses in Berwick, Pa., has resumed active operation following recovery from a six-week illness.

•

John Alderson, manager of the Center Theatre, Baltimore, is recovering from a tonsil operation.

•

W. J. Singleton, sales manager of Associated Screen News, Montreal, has been reelected a director of the Advertising and Sales Club of Montreal.

S. BARRET McCORMICK, RKO advertising and publicity director, will return from the Coast this weekend.

•

Lou Schaefer, Paramount New Haven manager, will start on his vacation June 9.

•

Lee Blumberg of Warners has returned from Florida.

•

Jack Shaindlin, short subjects musical director, and Mary C. Ransone, vice-president of University Films, will be married in June at the Little Church Around the Corner. They will honeymoon in Southampton, L. I.

•

Phil Lavene, manager of the Embassy, Buffalo, is ill.

•

Mina Rosen, Republic Buffalo booker, and widow of Ted Rosen, Buffalo exhibitor, who died three years ago, was married last week to David Zachem.

•

Tony Sudekum, president of the Crescent Amusement Co., has accepted the chairmanship of the Nashville Housing Authority.

•

E. S. Hawes, Altec engineer in Memphis, is the father of a daughter, Cynthia Jane.

•

Robert Murray, Ascap publicity manager, has sprained his back.

GTE 25-Cent Dividend

Directors of General Theatres Equipment Corp. yesterday declared a dividend of 25 cents a share on the capital stock, payable June 16 to stockholders of record June 9.

CALIFORNIA

VIA

AMERICAN'S SOUTHERN ALL-YEAR ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Coast Action Filed On Chaplin Revivals

Los Angeles, May 27.—Festival Films, Inc., today filed an injunction suit in Federal Court here against Edward Cohen, operator of the Movie Parade Theatre, silent film revival house, alleging copyright violation in playing 16mm. silent versions of old Chaplin films to which the plaintiff claims to have full rights.

Festival Films is a subsidiary of Commonwealth Pictures Corp., which is a subsidiary of Guaranteed Pictures Corp. It is exhibiting Chaplin revivals in New York and elsewhere.

Mexican Holiday Boon to Business

Mexico City, May 27.—Exhibitors here and in the provinces had an agreeable surprise during the 10 days' Spring holidays of Federal Government workers, who number 115,000. The exhibitors had thought that they would do poor business, but the vacationers from the provinces found it a novelty to attend theatres here, and those from the city made a point of going to see films at the lower rates in the out-of-town theatres.

Goldwyn Confers on 'Little Foxes' at RKO

Samuel Goldwyn will confer with RKO home office officials on sales plans for "The Little Foxes," his first release for that company, during his New York visit. He arrived yesterday morning by plane and is scheduled to return to the Coast on Friday.

Newsreel Parade

U. S. SUPPLIES reaching England form the outstanding news material in the new issues, which include also various military, defense and sports subjects. The contents:

MOVIETONE NEWS, No. 75—Mayor LaGuardia named civilian defense h[illegible] U. S. supplies reach England. Army [illegible]gineers build bridges at Camp Bowie, Texas. Women's Clubs' convention in Atlantic City. New York woman, 80, flies plane. Pilots graduate from Arizona school. Illinois troops in parade. Golf tournament on Long Island. Racing at Hollywood Park. Los Angeles track meet. Wellesley girls in underwater ballet. Feminine "Tarzan" in Florida.

NEWS OF THE DAY, No. 273—Hess' captor tells the story in Scotland. U. S. supplies reach England. LaGuardia appointed civilian defense chief. Women's Clubs' convention in Atlantic City. Annapolis midshipmen in review. Track meet in Los Angeles. Golf tournament on Long Island. Hollywood Park racing.

PARAMOUNT NEWS, No. 78—British clipper in first flight from New York. Senators ride up Capitol steps in Army reconnaissance car. Lord Halifax opens art exhibit in New York. New Jersey quadruplets celebrate fifth birthday. U. S. supplies arrive in Singapore and England. Season opens at Hollywood Park. Golf tournament on Long Island. Florida's "jungle girl" with chimpanzee pals.

RKO PATHE NEWS, No. 78—U. S. supplies reach British. Hess' captor tells of his experience. Scenes of "H. M. S. Hood." Army bombers in mass flight to Honolulu. Women's Clubs meet in Atlantic City. Coast shipyard workers in defense strike. Senators ride army Bantam car up Capitol steps. Wellesley co-eds in aquatic exhibition. Hollywood Park opens.

UNIVERSAL NEWSREEL, No. 983—Mothers' roles in war discussed at Women's Clubs meeting. Review at Annapolis. Britain speeds training of airmen. Senators ride Bantam car in Washington. Bathing beauties wear new bonnets in Miami. Track meet in Los Angeles. Wellesley students in underwater demonstration. Golf tournament on Long Island. Racing at Hollywood Park.

UA Sales Meeting Is Held in London

United Artists' British sales organization held a convention last weekend in London, according to advices reaching the home office. Teddy Carr, joint managing director, presided.

Executives, branch managers and salesmen attended from Birmingham, Leeds, Liverpool, Manchester, Newcastle, Dublin, Glasgow and Cardiff. Product and policy were discussed.

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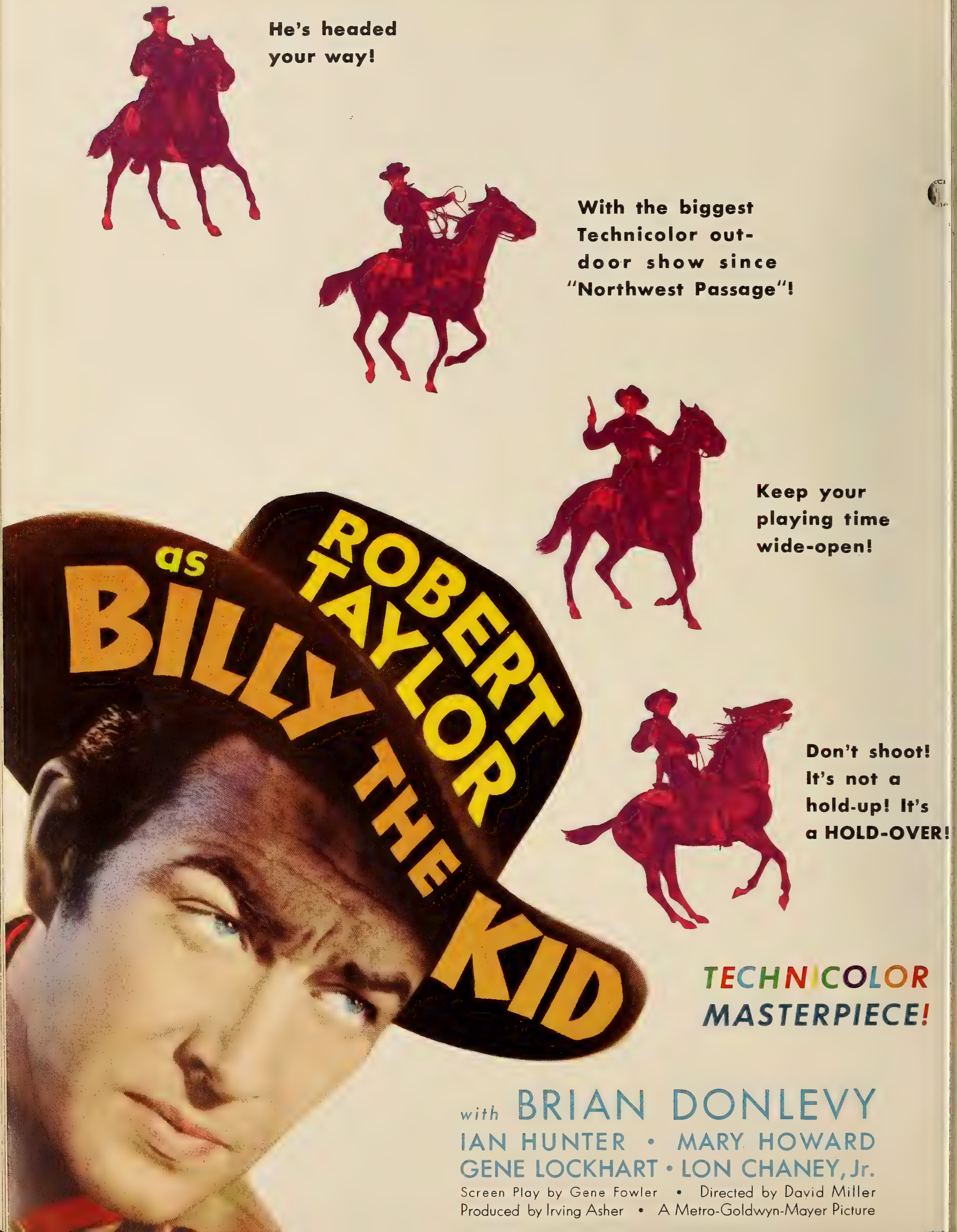

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Don't shoot! It's not a hold-up! It's a HOLD-OVER!

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GENE LOCKHART • LON CHANEY, Jr.
Screen Play by Gene Fowler • Directed by David Miller
Produced by Irving Asher • A Metro-Goldwyn-Mayer Picture

Theatres Victims of Teamsters Dispute

Film houses, legitimate theatres and night clubs in tnis city have been made victims of a jurisdictional dispute over which they have no control and which arose over the weekend between Local 802 of the Musicians Union and Local 817 of the Teamsters' Union. According to Edward O'Donnell, acting business agent of the Teamsters local, which has jurisdiction here over the transportation of theatrical properties, Local 817 will refuse to move any properties into any theatre or night club which employs musicians. Both are A. F. of L. unions.

The dispute, which has resulted in the picketing of film houses with stage presentations and legitimate theatres which use music, came to a head Saturday after many months of negotiation between the two locals. The teamsters claim the right to drive the trucks which transport instruments of musicians as well as to load and unload the buses which transport name bands and their instruments around the country. O'Donnell denied that it was the intention of his union to claim jurisdiction over the transportation of single instruments but added that jurisdiction was claimed when the entire band was moved as a unit.

Stagehands Union, Local 1, has instructed its members to observe their contracts and pass the teamsters' picket lines. Meanwhile the musicians declined to elaborate on their first statement, made Saturday, which characterized the picketing as "outrageous" and an "unwarranted imposition." At the offices of the American Federation of Musicians it was stated that the dispute was a local one and would have to be settled by Local 802.

Broadway managers yesterday stated that they had received no official notice of the strike except through the presence of the pickets.

Smith Is Reelected As KRS President

(*Continued from page* 1)

Precautions shelters and similar locations. In a discussion of plans for the emergency supply of films, the report cites the establishment and equipment of emergency distribution centers and film dumps. Analyzing the total of 606 film houses closed at the time the report was compiled, it lists 327 closed as the result of bombing and 247 due to local conditions.

In reviewing the developments of the past year, the report criticizes the policy of temporizing which it indicates characterized the activities of the organization, and suggests that more might be accomplished through more careful planning.

Cincinnati Strand Future Uncertain

Cincinnati, May 27.—Although Harry Abrams, when recently appointed receiver for Strand Enterprises, Inc., operating the Strand Office building and 1,200-seat Strand Theatre in the downtown business sector, was authorized by Common Pleas Court to continue operation of the projects, the theatre has closed. The future of the house has not been determined.

Interstate Meeting Hears Decree Talks

(*Continued from page* 1)

ing problems also were discussed.

Following Wednesday's meeting, the entire convention, comprising about 250 persons, will go to the San Jacinto battlefield for a shore dinner.

William A. Scully, Universal general sales manager, is expected here tomorrow by plane from New York. He will join other film company executives attending the meeting.

Congressman Lauds Equity Fight on Reds

Washington, May 27.—The statement of Rep. William P. Lambertson expressing gratification over the action of Actors Equity in having its nominating committee refuse nominations to subversive elements was printed today in the *Congressional Record.*

In a letter to Florence Reed, chairman of the committee, Lambertson declared that "innocent and deserving actors all over the country are being penalized because the Communists in high positions are not weeded out of the theatrical organizations."

Lytell Urges Hearing

The remarks of Rep. Lambertson were mailed to Equity members last week and created a stir, particularly because the letter bore a statement that the assertions had been reprinted from the *Congressional Record.*

Bert Lytell, president, yesterday sent a telegram to Rep. Lambertson urging a hearing before the Dies Committee before June 6, the date of the annual Equity elections, on Lambertson's charges that seven members of the Equity council are Communists. The hearing was urged because it is felt that clearing Equity of Communist charges may aid the union in obtaining recognition in a plan for Army camp entertainment, it was said.

No RKO Stockholder Meet Planned Now

RKO will hold no annual meeting of stockholders at this time, due to the fact that no special business is scheduled to come up for stockholder action.

Directors of the company were appointed under a Federal court order in reorganization proceedings in January, 1940, for two-year terms which will not expire until the end of the year. Election of directors, therefore, can not be held at this time. An annual meeting for the election of directors and transaction of any other business which may come before the meeting may be held late this year.

Seek Dismissal of Bercovici Action

Charles Chaplin and United Artists Corporation have filed application in the U. S. District Court to dismiss four out of the five causes of action set forth by Konrad Bercovici in his $5,000,000 plagiarism and breach of contract suit. The defendants claim that these causes of action are unjust and invalid. Bercovici is suing on the ground that he submitted the original script for "The Great Dictator," and was unpaid on other screen scripts.

Mexican Industry Aids Quake Victims

Mexico City, May 27.—A special performance given by the 66 theatres here raised $8,100 for the fund the Federal Government is raising for relief of the victims of the devastating earthquakes on April 15 and 16 in Colima, Jalisco and Michoacan states. The National Cinematographic Workers Union donated $615 to the fund from a levy for one day of 22 cents on the daily pay of its 3,000 members.

Coast Unions Plan To Air Studio Fight

Hollywood, May 27.—The recently formed Studio Union and Guild Committee has announced it is seeking to arrange time on a national network to present to the public its grievances in current bargaining with the producers. The committee is said to consist of 12 AFL and unaffiliated unions representing about 8,000 workers.

Meantime, two IATSE officials have been subpoenaed for questioning by the Los Angeles County grand jury on June 4. Purpose of the investigation was not disclosed by the District Attorney. Summoned were Floyd Billingsley and Harold V. Smith, onetime IATSE representative and now business agent for Sound Technicians Local 695.

Disney Cartoonists To Strike Today

Hollywood, May 27.—Picket lines will be thrown about the Walt Disney studio at 6 A. M. tomorrow, union officials announced, as the Screen Cartoonists Local 852, claiming inability to obtain recognition as exclusive bargaining agency, instituted a strike. Other AFL unions may join in sympathy. Walt Disney told his 1,200 employes that the studio would remain open. The union claims the strike was authorized by 500 of the 700 employes eligible to join.

Disney notified 400 newspapermen that a preview of his "The Reluctant Dragon" scheduled at the studio tomorrow had been indefinitely postponed to prevent the newspapermen having to cross a picket line.

Meanwhile, Leon Schlesinger tonight announced signing of a bargaining agreement with the Screen Cartoonists, which earlier today had given him until tomorrow to sign the recently negotiated pact or face a strike. The agreement runs for three years with both sides given the privilege of reopening negotiations after one year for adjustment of salaries.

Files Infringement Suit Over 'Ziegfeld'

Mary Elizabeth Young, known as Bettie MacDonald, has filed suit in the U. S. District Court against Loew's, Inc., charging infringement of her story in the film, "Ziegfeld Girl." Plaintiff claims that she wrote a story of the same title, published in the *American Weekly* in 1933. The film, according to the complaint, embodies the same idea as the story.

Para. to Set First 5-Blocks at Coast Parley Next Month

(*Continued from page* 1)

was called off because of the illness of G. A. Smith, division manager. Robert M. Gillham, advertising and publicity director, also is attending the Galveston meeting.

Paramount home office officials planned to leave for the Coast this weekend for the executive meeting of the studio, but the session has been set back about two weeks to allow for completion of several new films which probably will be included in the first two blocks of five.

As a result of the postponement, Barney Balaban, Paramount president, will attend a Canadian division sales meeting to be held in Toronto, June 16 and 17, by Del Goodman, division manager. He will return to New York in time for the company's annual meeting of stockholders June 17 and will leave for the Coast meeting thereafter. According to present plans he will be accompanied by Stanton Griffis, chairman of the executive committee; John W. Hicks, vice-president and foreign manager, and Austin C. Keough, vice-president and secretary.

Agnew and Adolph Zukor, board chairman, will leave for the Coast meeting about June 10.

Dividend Declared By Famous Players

Toronto, May 27.—Famous Players Canadian Corp., following the election of J. J. Fitzgibbons as president in succession to N. L. Nathanson, has declared a dividend of 25 cents per common share for the second quarter of 1941, payable June 27.

Hamilton United Theatres, Ltd., subsidiary, has voted a dividend of 1¼ per cent on its preferred shares, payable June 28. United Amusement Corp., Ltd., to which Fitzgibbons was recently elected a director in place of Nathanson, has declared a dividend of 40 cents on the common stock, payable May 31. Thomas J. Bragg, former secretary-treasurer of Famous Players, has resigned as president of Eastern Theatres, Ltd., and has been succeeded by Fitzgibbons. The chief theatre operated by this subsidiary is the Imperial here, largest film house in the Dominion.

Walker Heads AGVA Philadelphia Chapter

Philadelphia, May 27. — James Walker defeated Al Rea for the local presidency of the American Guild of Variety Artists at the annual election meeting at the Commodore Hotel. Robert Mack was elected first vice-president; Frank Schluth, second vice-president; Richard Thomas, third vice-president; Gus Howard, fourth vice-president; Sid Raymond, fifth vice-president; Leonora Jaxon, recording secretary; and Shandor Clarke, treasurer. Richard Mayo continues as executive secretary of the local chapter.

Republic at New Office

Republic Pictures and Consolidated Film Industries over the weekend completed moving to 1790 Broadway from 1776 Broadway.

Defense, Weather Key to Grosses Decline

Grosses Drop Almost a Third On West Coast

Los Angeles, May 27.—Attendance has dropped about 33-1/3 per cent below normal recently for the independent houses and only slightly less for the circuits in this area.

In addition to the seasonal slump occasioned by good weather and the start of the ocean fishing season, theatre men place the blame on:

1. Unrest due to international uncertainty.

2. Disruption of community life by selective service.

3. Running of defense industries around the clock.

One veteran theatre man who makes a study of national conditions declared, "You cannot take thousands of men away from their normal life in communities and lower the total earning power of their respective families and not expect a lowering in grosses."

Independent exhibitors in this area are the most severely affected in any type of slump, according to one showman, who laid the blame on selling methods. "Circuits can run two percentage pictures on a double bill by converting one to a flat rental," he declared. "People in this area 'shop' for entertainment."

10% Increase in Grosses Noted in Seattle Area

Seattle, May 27.—With thousands of persons pouring into this area because of the large amount of defense work going on, theatres show an increase of business ranging around 10 per cent over last year. However, the increase is not in accordance with the defense wages and number of persons at work.

Bremerton and Tacoma show the largest increase in business. Surveys of the retail field show the largest amount of money going for automobiles, homes, home appliances, and fur coats respectively, with a shortage in all these goods.

Seasonable Slump, Warm Weather Cited in New Orleans

New Orleans, May 27.—Theatre operators here declare that since the beginning of May receipts have taken a sharp drop, which was attributed mostly to a "seasonal slump" and warm clear weather which has lured patrons to the beaches and other out-of-doors amusements.

It was pointed out that during this month practically every school in the city and state holds some sort of May festival which takes children and parents away from the theatres.

St. Louis Defense Money Is Evading Box-Office

St. Louis, May 27.—Nearly $300,000,000 in defense contracts has been placed in St. Louis, but little of this money has found its way into the theatres' box-offices.

For three weeks grosses here have been off—and in some instances, by no small margins. Product has been good, weather ideal.

Business Down Sharply; Varied Causes Are Cited

(*Continued from page* 1)

vanced any remedy for the situation. There have been proffered conflicting claims about product which would lead to the conclusion that the exhibitor is disappointed about his product and that the distributor has failed to encourage him or inspire him in handling the product sold.

Here are some of the salient reasons advanced for the business slump:

Premature warm weather—an early Summer.

War jitters.

Radio competition.

The draft, taking young patrons from the theatre.

Increased chance games competition from the churches.

Anti-giveaway laws.

Traveling shows.

U. S. Army Camp theatre competition.

Defense workers are using their increased wages to pay off debts, or are spending their earnings on more expensive entertainment than films, on homes, cars, appliances, fur coats and the like.

Lack of leisure on the part of defense industry workers, because of odd-hour shifts or overtime work.

Baseball, day and night, and other new sports, and outdoor activity such as increased motoring.

Dearth of quality product.

Probable coal strike, affecting anthracite region.

Local elections.

More Tomorrow

Motion Picture Daily's **survey of theatre business conditions in key cities across the country, in addition to those presented today, will be published in tomorrow's issue.**

Defense Work Is Blamed in Boston

Boston, May 27.—The box-office slump here is attributed chiefly to the increase in national defense work. Second is the unseasonable Summer weather experienced for the past few weeks.

There are three major defense plants around Boston, the Fore River Shipyard, one of the largest in the country, the Boston Navy Yard and the Watertown Arsenal, in addition to innumerable factories and shops employing from 1,000 to 3,000 men each.

A prominent theatre manager declared that people are working such long hours doing strenuous work that they are too tired to enjoy an evening's relaxation at the theatres. Another exhibitor said the pictures shown here for the past couple of months have been of a poor grade.

Milwaukee Employment Up, But Grosses Down

Milwaukee, May 27.—Despite the fact that the number of workers employed in Milwaukee industries is above anything on record, theatre business continues to be spotty in this area.

Local exhibitors cite a variety of reasons, among them competing forms of local entertainment, such as public chance games, newly legalized 15-round boxing bouts, organization-sponsored entertainments, "jackrabbit" shows and outdoor activities spurred by unseasonably warm weather.

Toronto Slump Recent; May Be Due to Tax

Toronto, May 27.—Theatre business in Toronto held up nicely until this week and managers are trying to figure out whether the sudden slump is due to the rapid rise in temperature or to the inauguration of the Federal amusement tax of 20 per cent.

Capital Exception With City Crowded

Washington, May 27. — A huge volume of tourist traffic, the Capital's steady mounting population and good product have combined to keep box-office receipts at a healthy level here.

With the coming of hot weather a slight seasonal decline has been noted. But this has been offset to a large degree, exhibitors say, by the record-breaking tourist volume and increasing population, the latter due to the defense program.

Warner Theatres, operators of two first run houses downtown and a string of neighborhood houses, say business is good. They add that the expected hot weather slump is not as great as was expected. Loew's and RKO executives express the same reaction.

Unrest Blamed for Weakness In Albany and Points North

Albany, May 27.—Despite an upswing in employment and a large increase in the general wage level, theatre business here and in Troy, Schenectady, Utica and communities northward to the Canadian border has been poor. Chiefly responsible, according to exhibitors, is the general unrest of the public as a result of the war situation. Exhibitors generally report that the heavy defense expenditures in this area have meant little or nothing to the box-office.

Business Holding to Fair Level in Buffalo

Buffalo, May 27.—Business here is holding to a fairly good level, with factory workers' average pay up to $34 or 35 weekly. The city's proximity to booming steel mills and other defense industries has given amusement-seekers more to spend, and the fact that several new theatres are being built here indicates a fair level of business.

Chicago Sees Lack of Time, Wide Unrest

Chicago, May 27. — With normal business for this time of the year off approximately 33-1/3 per cent here, exhibitors cannot place their fingers on the actual causes of the loss.

Most exhibitors agreed on two vital reasons (a) the unrest caused by world conditions and the uncertainty of things at present, combined with the threat of increased taxation (retail business in downtown Chicago is off) (b) that the stepped up defense program makes it necessary for employes engaged in this line to work overtime and holidays and they have not time to attend theatres.

One prominent exhibitor thinks the public is finding its amusement in active participation and points to the increasing popularity of sports. Bowling in particular has been drawing crowds in Summer and Winter.

Blame Outside Competition For San Francisco Drop

San Francisco, May 27.—A strange combination of circumstances, involving national defense activity, is blamed by local exhibitors for a greater than usual seasonal slump.

The situation involves the recently-enforced 2 A.M. closing law for local night clubs and bars, which has made the city less attractive to Friday, Saturday and Sunday spenders, who now are earning big money in defense work. This, coupled with the fact that nearby Sunnyvale, Monterey, and Salinas, sites of huge Army training camps, are running wide-open every night, has tended to lure business away from the local scene.

Pittsburgh Reports Big Spending for Luxuries

Pittsburgh, May 27.—Theatre business is drooping here, except in isolated instances, due primarily to a paradoxical combination of above normal consumer prosperity and bulging bank deposits.

Industrial payrolls are the highest in history. That seems to be one trouble, strangely, with the picture grosses. A huge segment of the theatre-going public is reportedly spending much of its new wealth in heavy goods. Warm weather and war nervousness are seen as other factors by theatre operators.

Government Workers Aid Ottawa Grosses

Ottawa, May 27. — Despite the theatre tax of 20 per cent on admissions and the opening of the fishing season in this part of Canada, coupled with the hot Summer weather, theatre business in this area is fairly good and it is believed there will be no seasonal slump.

Business on the average is better than in previous years, believed due to the increased number of government employes now in the Capital and engaged in war work.

Production at Peak with 50 Films in Work

HOLLYWOOD, May 27. — Fifty pictures, highest production peak for months and unusual for this time of the year, were before the cameras this week as 12 were started and eight finished. Columbia was the busiest lot, with ten films going simultaneously, a record for that studio.

Thirty were being prepared and 83 were being edited.

The tally by studios:

Columbia

Finished: "The Devil to Pay."

In Work: "Our Wife," "Texas," "Mr. Jordan Comes to Town," "Tillie the Toiler," "Tonight Belongs to Us," "Girls from Panama," "Mystery Ship," "Ladies in Retirement."

Started: "King of Dodge City," "You'll Never Get Rich."

Goldwyn

In Work: "The Little Foxes."

Korda

In Work: "Illusions."

M-G-M

In Work: "Barnacle Bill," "The Yearling," "Life Begins with Andy Hardy," "Smilin' Through."

Started: "Ringside Maisie."

Monogram

In Work: "Wanderers of the West," "Murder by Appointment."

Producers Releasing

Finished: "Motorcycle Squad."

In Work: "Desperate Cargo."

Started: "Gambling Daughters."

Paramount

In Work: "Nothing But the Truth," "Birth of the Blues," "Among the Living," "Sullivan's Travels," "Sheik of Buffalo Butte."

Started: "Bahama Passage."

RKO

Finished: "The Outlaw Trail."

In Work: "Father Takes a Wife," "The Devil and Daniel Webster," "The Gay Falcon," "Look Who's Talking."

Started: "Lord Epping Sees a Ghost," untitled Tim Holt.

Republic

In Work: "Puddin' Head," "Hurricane Smith."

Started: "Gangs of Sonora," "Under Fiesta Stars."

20th Century-Fox

Finished: "Charlie Chan in Rio," "Dressed to Kill," "Private Nurse."

In Work: "Belle Starr," "Yank in the R.A.F.," "Charley's Aunt," "Wild Geese Calling."

Universal

Finished: "Radio Revels of 1942."

In Work: "I, James Lewis," "Flying Cadets," "Man from Montana."

Started: "San Antonio Rose."

Warners

Finished: "Manpower."

In Work: "Dive Bomber," "Navy Blues."

Started: "King Rubber," "The Smiling Ghost."

Heads Pa. Musicians

READING, Pa., May 27.—Frank L. Diefenderfer, president of the local musicians' union, has been reelected head of the Conference of Pennsylvania and Delaware Musicians Locals of the AFM, representing 36 locals in the two states.

Castings Highlight News Of Hollywood Production

Hollywood, May 27

CASTING of top players by various studios in films shooting or being prepared made the principal production news this week, as stars, featured and principal players received assignments. OLIVIA DE HAVILLAND, now vacationing in the East, was announced by Warners for two: opposite FREDRIC MARCH in "One Foot in Heaven," and opposite GEORGE RAFT in "All Through the Night." CLAIRE TREVOR drew the feminine lead in Columbia's "Texas," which headlines WILLIAM HOLDEN and GLENN FORD. WILLIAM H. PINE and WILLIAM C. THOMAS cast MARIE WILSON, NILS ASTHER, ROGER PRYOR and GRADY SUTTON to support RICHARD ARLEN and JEAN PARKER in "Flying Blind," which Paramount will release.

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Twentieth Century-Fox borrowed Walter Pidgeon from M-G-M and Anna Lee from RKO for the top roles in "How Green Was My Valley" and signed Barton MacLane for "Wild Geese Calling." To support Lupe Velez and Leon Errol in the fourth "Lord Epping" picture, "Lord Epping Sees a Ghost," RKO has placed Charles "Buddy" Rogers, Zasu Pitts, Elisabeth Risdon, and Fritz Feld.

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Republic will headline RAY MIDDLETON and JANE WYATT, the latter under contract to RKO but allowed to make outside deals, in "Hurricane Smith," in which J. EDWARD BROMBERG will support them. A newcomer at the studio, BILL SHIRLEY, was given a term contract and next appears in "Gobs in Blue," service picture formerly titled "Navy Blue Eyes." JANE WITHERS' next will be "Young America," story of the 4-H Clubs, at 20th Century-Fox. The 4-H (health, hand, heart, head) organization is composed of youths throughout rural America.

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RALPH BYRD and CAROL HUGHES have been obtained for the leads of Producers Releasing's "Desperate Cargo," which JOHN P. COYLE will produce and WILLIAM BEAUDINE will direct. "Battle of the Atlantic," a story announced as dealing with espionage in the convoy system, is on the Warner schedule with tentative lead casting as DENNIS MORGAN and PRISCILLA LANE.

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Brenda Marshall will play opposite Wayne Morris in Warners' "The Smiling Ghost," which Lew Seiler will direct. . . . RKO, reuniting the team of "Quirt" and "Flagg," Edmund Lowe and Victor McLaglen, have expanded the idea for "The Marines Are Ready," and cast Jack Holt and his son Tim Holt, in the film, which Howard Benedict will produce.

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Because of his work in "Blood and Sand," LAIRD CREGAR gets the principal character role in 20th Century-Fox's "Coney Island," which will be a cavalcade of events in New York at the turn of the century. Basis for the story will be three stories, "Sins of America," "Sins of New York," and "Police Gazette," by EDWARD VAN EVERY, sports writer for the New York *Sun*.

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Paramount has placed EDDIE BRACKEN as the star of "Out of the Frying Pan," which EDWARD H. GRIFFITH will direct. Another assignment for JACK HOLT has been made by LARRY DARMOUR who is placing the veteran actor in his first serial, "Holt of the Secret Service." The serial will follow "The Iron Claw," which is to be re-made, on Darmour's production schedule. Columbia will release both.

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ELEANOR STEWART, feminine lead of "Pirates on Horseback," again will play opposite BILL ("HOPALONG CASSIDY") BOYD in "Timberwolves." RED SKELTON assigned to "Panama Hattie," new ANN SOTHERN musical. GENE LOCKHART gets a top character role in EDWARD SMALL'S "International Lady."

Other assignments: LEE BONNELL to play opposite LUCILLE BALL in "Look Who's Talking," RKO; MAE CLARKE to "Lady for a Night," Republic; CECIL KELLAWAY to "Bahama Passage," Paramount.

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M-G-M has purchased "Bugles Blow at Midnight," unpublished novel by WILLIAM LIPMAN which deals with the plot of American Fascists obtaining control of a large newspaper and putting up a candidate for President.

'Wings' Pulls $19,500, Good Frisco Gross

SAN FRANCISCO, May 27. — "I Wanted Wings, paired with "Cowboy and the Blonde" drew $19,500 at the Fox. "Fantasia" jumped to $11,800 in the twelfth and final week.

Estimated receipts for the week ending May 20-24:

"Rookies on Parade" (Rep.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $12,000. (Average, $15,000)

"Flame of New Orleans" (Univ.)
"Phantom Submarine" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $9,000. (Average, $8,000)

"The Great Dictator" (U. A.)
UNITED ARTISTS—(1,200) (25c-30c-40c-50c) 7 days, 6th week. Gross: $6,800. (Average, $8,000)

"Wagons Roll at Night" (W. B.)
"The Penalty" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 2nd week (moved over from Fox). Gross: $5,000. (Average, $6,000)

"The Great American Broadcast" (20th-Fox)
"Flight from Destiny" (W. B.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days ,2nd week. Gross: $9,500. (Average, $11,500)

"I Wanted Wings" (Para.)
"Cowboy and the Blonde" (20th-Fox)
FOX — (5,000) (15c-35c-40c-50c) 7 days. Gross: $19,500. (Average, $16,000)

"A Woman's Face" (M-G-M)
"Washington Melodrama" (M-G-M)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $13,800. (Average, $12,000)

"Pepe Le Moko" (Mayer-Burstyn)
CLAY—(400) (15c-35c-45c) 7 days, 2nd week. Gross: $1,200. (Average, $1,000)

"Fantasia" (Disney)
GEARY — (1,288) (55c-75c-$1.10-$1.65) 7 days, 12th week. Gross: $11,800. (Average, $12,000)

ANGELS WITH BROKEN WINGS
BINNIE BARNES • GILBERT ROLAND
MARY LEE
BILLY GILBERT • JANE FRAZEE • EDWARD NORRIS
KATHARINE ALEXANDER • LEO GORCEY • LOIS RANSON • LENI LYNN • MARILYN HARE
BERNARD VORHAUS, Director • Screen play by George Carlton Brown and Bradford Ropes • Original story by George Carlton Brown
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MARILYN HARE
She's an angel...

20th-Fox Dismissed From L.A. Complaint

Los Angeles, May 27.—Twentieth Century-Fox has been dismissed as a respondent in W. O. Lewis' Mission Playhouse arbitration complaint on clearance, which has been continued to June 3. Herbert Cameron, arbitrator, acceded to the request to drop 20th Century-Fox, as it has an interest in National Theatres, which controls Fox West Coast. The latter is involved in the hearing.

Lewis asks that his house follow Pasadena instead of Alhambra and wants a uniform clearance schedule for the San Gabriel Valley. James Edwards, Jr., of the Edwards circuit and A. L. Sanborn of El Monte, who has filed a complaint similar to that of Lewis, also testified.

Paramount, Vitagraph (Warners) and Loew's remain respondents.

Pearl River Hearing Adjourned to June 11

Hearing of the clearance complaint of the River Theatre Corp., Pearl River, N. Y., against the five consenting companies was adjourned to June 11 after a brief session at the local board here yesterday. Francis Adams Truslow, arbitrator, gave the attorneys for both sides until June 5 to file briefs.

Hearing of the clearance complaint of the Majestic Theatre, Paterson, N. J., against all five consenting companies was set for June 9 at the local board here by W. P. Cavanaugh, arbitrator.

Esquire Hearing to June 6

Hearing of the clearance complaint of the Esquire, Great Neck, L. I., was adjourned to June 6 following Monday's hearing by the New York board. The case was the second filed in New York and was first set for hearing on April 4.

Reserve Philadelphia Decision

Philadelphia, May 27.—Decision was reserved yesterday by Roland J. Christy, arbitrator, on the clearance complaint filed by Bryant Wiest, operator of the Hollywood, Elizabethville, Pa., against M-G-M. R. J. Budd, operator of the Theatorium, Lykens, Pa., appeared as intervenor objecting to any clearance change.

Name Charlotte Arbitrator

Guy Bagwell has been designated arbitrator of the first case to be held at the Charlotte board, the clearance complaint of the Patricia, Aiken, S. C., against all five consenting companies.

Omaha Grosses Slip Except 'Broadcast'

Omaha, May 27.—Grosses here continue in the doldrums. "Great American Broadcast" pulled $7,700 at the Orpheum.

Estimated receipts for the week ending May 21-22:

"Man Made Monster" (Univ.)
"Horror Island" (Univ.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $3,800. (Average, $4,000)
"People vs. Dr. Kildare" (M-G-M)
"Rage in Heaven" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,300. (Average, $6,000)
"The Great American Broadcast" (20th-Fox)
"Life With Henry" (Para.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $7,700. (Average, $7,200)

Grosses Slump as Roosevelt Talks To Largest Audience

(Continued from page 1)

augurated, was widely publicized and virtually every one of the nation's stations which had a license to operate during the period carried the speech. The talk itself, originally scheduled from 10:30-11 P.M., was extended earlier in the evening to 11:15. Many stations repeated the speech last night for the benefit of defense workers and others unable to hear the original broadcast and it will be rebroadcast again this morning.

Under the decree signed by the President, wide powers are given him over almost every industry, but it was observed last night that it would be necessary to study old World War statutes before the exact status of the film industry, radio or the amusement field generally would be affected. At any rate, it was generally agreed that additional proclamations would be necessary in the case of each industry.

Theatre business slumped badly last night, especially in neighborhood houses where it was estimated that business was off from 15 to as much as 50 per cent, depending on the locality and time zone. Broadway business was also hit but to a lesser extent. Managers of the first run houses estimated business off from 10 to 25 per cent. Legitimate stage plays were also affected but many hit shows were saved from serious losses by the fact that tickets are sold several weeks in advance. However, the lesser attractions were reported badly affected.

While in certain areas theatres hooked their public address systems to radios, theatres here made no efforts in that direction. A number of first runs, as well as neighbor houses, displayed large signs stating that the speech could be heard over radios in lobbies and lounges. The film was not interrupted, however. Other managers, believing that those who wished to listen to the President would stay at home, made no effort to provide any type of radio coverage. At the Polo Grounds where a night baseball game was in progress, precedent was shattered when the game was suspended while the crowd listened to the speech.

Networks at midnight attempted to obtain reactions by short wave from Latin America and Europe but were unable to do so because of the brief period elapsed.

Kansas City Off 20-30%

Kansas City, May 27.—The President's broadcast heard here at 8:30 P.M. cut attendance 20 to 30 per cent. At least one neighborhood house advertised that the speech would be broadcast from the stage and reported increased business. Ticket buying everywhere dropped noticeably near the time for the broadcast.

Capital House Halts Film

Washington, May 27.—Theatre attendance was estimated to be half of normal during the broadcast of the President's speech here tonight. At Loew's Capitol, the film was interrupted while the speech was heard over the theatre's sound system.

Coast Audiences Hear Talk

Los Angeles, May 27.—The fact that the President's speech was broadcast on the coast at 6:30 P. M. affected business here less than in other parts of the country. Fox West Coast Theatres and many independents permitted audiences to hear the talk over the theatre sound systems.

Atlanta Grosses Hit

Atlanta, May 27.—Box office receipts were down here as President Roosevelt spoke. "The Roosevelt speech hurt us very badly, but it was expected," was the comment of four out of five managers queried.

Pittsburgh Slumps

Pittsburgh, May 7.—The President's speech and the heat wave virtually "killed" theatre business here tonight.

Slight Decrease in Dallas

Dallas, May 27.—A slight decrease in theatre attendance was experienced in Interstate Circuit houses in this vicinity during the period of the President's speech. Key houses of the circuit tuned in the speech for patrons on theatre radios, and many came to the theatres to hear it and attend the show thereafter.

The speech occurred at the height of the theatre hour.

It is estimated that nearly 1,250,000 in the Dallas primary area heard the speech.

St. Louis Drops 50 Per Cent

St. Louis, May 27.—The President's speech was on the air here during the hour when theatre attendance normally is at its peak and, according to estimates, a drop of 50 per cent in grosses resulted.

More than 2,000,000 persons heard the radio speech in the St. Louis primary area, it is believed. Loew's provided lobby radios. A night baseball game here, which drew more than 10,000, was not started until after the speech, which was amplified at the park.

Pickwick Motion to Be Heard Monday

New Haven, May 27.—A motion to quash and dismiss the complaint of Prefect Theatres, Inc., et al, owner and operator of the Pickwick in Greenwich, Conn., against Skouras Theatres, Inc., George P. and Spyros P. Skouras, and Fox Metropolitan Playhouses, Inc. will be heard by Judge Carroll C. Hincks of the U. S. District Court here on June 2.

The out-of-state defendants in the $5,452,575 anti-trust suit and the eight major companies, claim improper service of the complaint on them by registered mail, and lack of jurisdiction of the Connecticut court. The other defendants have asked for extension of time in which to plead and more specific statement.

Art on Television

CBS has made arrangements with the Metropolitan Museum of Art for the telecasting of the art masterpieces in the Museum's collection. First telecasts will be in black-and-white but eventual color telecasts are believed feasible.

Los Angeles Likes 'Wings' And 'Barbara'

Los Angeles, May 27.—"I Wanted Wings," with Richard Himber's orchestra on the stage of the Paramount, drew $20,000. "Major Barbara" drew $5,000 in the second week at the 4 Star.

Estimated receipts for the week ending May 20:

"The Great American Broadcast" (20th-Fox)
"Washington Melodrama" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average, $12,000)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 16th week. Gross: $7,000. (Average, $17,000)
"Citizen Kane" (RKO)
EL CAPITAN—(1,600) (75c-$1.65) 7 days, 2nd week. Gross: $8,500.
"Major Barbara" (U. A.)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $5,000. (Average, $3,250)
"Citizen Kane" (RKO)
HILLSTREET—(2,700) (75c-$1.65) 7 days, 2nd week. Gross: $8,000. (Average, $6,500)
"The Great American Broadcast" (20th-Fox)
"Washington Melodrama" (M-G-M)
LOEW'S STATE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $10,500. (Average, $14,000)
"The Lady from Cheyenne" (Univ.)
"The Black Cat" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $8,500. (Average, $7,000)
"I Wanted Wings" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Richard Himber Orchestra. Gross: $20,000. (Average, $18,000)
"Affectionately Yours" (W. B.)
"Strange Alibi" (W. B.)
WARNERS' HOLLYWOOD—(3,000) (33c-44c-55c-75c) 7 days. (Gross: $8,300. (Average, $14,000)
"Affectionately Yours" (W. B.)
"Strange Alibi" (W. B.)
WARNERS' DOWNTOWN—(3,400) (33c-44c-55c-75c) 7 days. Gross: $8,100. (Average, $12,000)

Ampa Team Captures Film Daily Tourney

(Continued from page 1)

Trophy and radios went to the Ampaites.

Harold Rinzler won the Quigley Publication trophy and an American Seating Co. prize for low gross. Arthur Loew and Orlin Hicks tied in the tennis singles, and this will be played off. Ed Schreiber and Morgan Hobart won the doubles.

Golf winners follow:

Team Play

Winning Team: Ampa—Monroe Greenthal, Herb Fecke, Paul Lazarus, Jr., Herbert Berg. First Runner Up: Eastman Kodak—Richard Brady, Don Hyndeman, George Blair, Jack Cunliff. Second Runner Up: Warners—Joseph Hummil, Leonard Palumbo, Abe Kronenberg, Bob William. Third Runner Up: Trade Press—Paul Greenhalgh, Al Dwyer, Pearce Chauncey, James Cron.

Individual Play

Low Net, Paul Greenhalgh. Low Net, First Runner Up, Herbert Fecke. Low Net, Second Runner Up, Gordon W. Hedwig. Low Net, Third Runner Up, Paul N. Lazarus, Jr. Low Gross (Quigley Publications trophy), Harold Rinzler. Low Gross, First Runner Up, Bob Wolff. Low Gross, Second Runner Up, L. Palumbo. Low Gross, Third Runner Up, Gerald Barry. Low Gross, Fourth Runner Up, John Murphy. Low Net—Exhibitor, Irving Dashkin. Low Net—Exhibitor, Runner Up, Max A. Cohen. Low Gross—Exhibitor, E. L. Hyman. Low Gross—Exhibitor, Runner Up, George Skouras. Putting Contest, Winner, J. J. Alterman. Putting Contest, First Runner Up, Henry Brown. Putting Contest, Second Runner Up, C. H. Moses. Driving Contest, Winner, P. Santry. Driving Contest, First Runner Up, R. Keenan. Driving Contest, Second Runner Up, N. Nicholson. Birdies, Winner, E. M. Hartley. Birdies, Runner Up, R. William. Best Dressed Golfer, Hap Hadley. World's Worst Golfer, W. Schneider. Best Left-handed Golfer, E. S. Gaylor, Jr.

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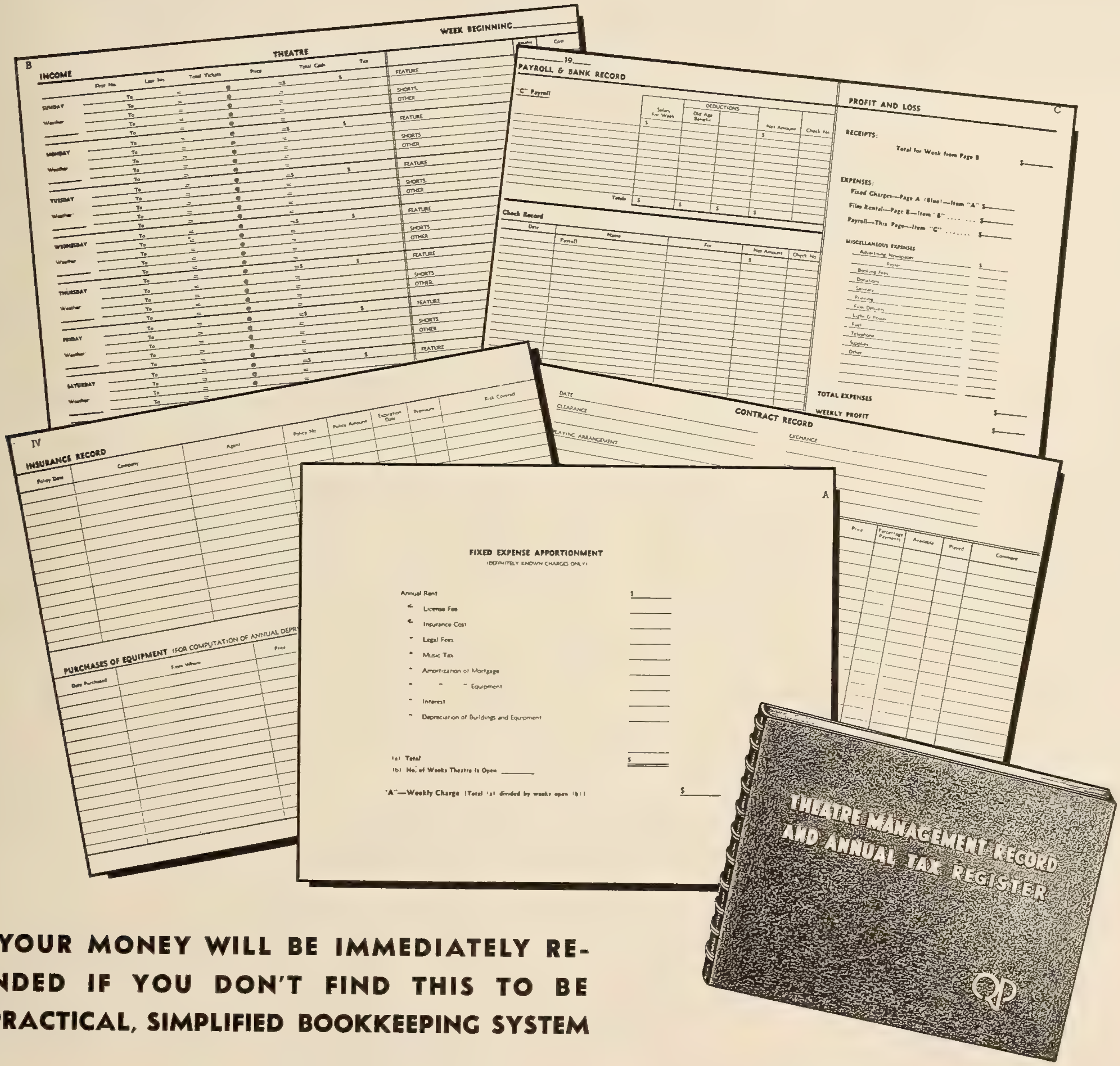

B INCOME — THEATRE — WEEK BEGINNING

SUNDAY · MONDAY · TUESDAY · WEDNESDAY · THURSDAY · FRIDAY · SATURDAY

FEATURE · SHORTS · OTHER

PAYROLL & BANK RECORD

"C" Payroll

Check Record

PROFIT AND LOSS

C

RECEIPTS:

Total for Week from Page B $

EXPENSES:

Fixed Charges—Page A (Blue)—Item "A" $

Film Rental—Page B—Item "B" $

Payroll—This Page—Item "C" $

MISCELLANEOUS EXPENSES

Advertising Newspaper

Poster

Booking Fees

Donations

Sanitary

Printing

Film Delivery

Light & Power

Fuel

Telephone

Supplies

Other

TOTAL EXPENSES

WEEKLY PROFIT $

IV INSURANCE RECORD

PURCHASES OF EQUIPMENT (FOR COMPUTATION OF ANNUAL DEPR

CONTRACT RECORD

A

FIXED EXPENSE APPORTIONMENT

(DEFINITELY KNOWN CHARGES ONLY)

Annual Rent $

" License Fee

" Insurance Cost

" Legal Fees

" Music Tax

" Amortization of Mortgage

" " " Equipment

" Interest

" Depreciation of Buildings and Equipment

(a) Total $

(b) No. of Weeks Theatre Is Open

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FCC Asks Net Affiliation in Permit Forms

WASHINGTON, May 27.—New forms on which all applicants for broadcasting facilities will attest to any network affiliations they may have were issued today by the FCC.

The forms are designed to carry out the FCC's recently announced chain regulations, requiring licensees to keep the Commission informed of contracts and arrangements, including changes, covering network affiliations.

The Commission also announced amendment of its rules of practice and procedure to provide for hearings in cases where an applicant desires to enter into or retain a contract not in conformity with the chain broadcasting rules.

F.T.C. Held Up 16% Of Network Scripts

WASHINGTON, May 27.—Less than two per cent of non-network commercial continuities reviewed during the calendar year 1940 were found questionable by the Federal Trade Commission, but more than 16 per cent of the network continuities were laid aside for further study, it was disclosed by the commission.

An analysis of commercial continuities reviewed by the commission showed that of scripts submitted by 715 stations in 500 cities, only 1.87 per cent were marked and set aside for investigation, while 16.6 per cent of scripts submitted by the networks were marked. The commission also examined transcription recordings, of which 9.5 per cent were set aside for investigation.

The national networks were the worst offenders, with 19.6 per cent of their scripts set aside, whereas only 11.1 per cent of the scripts of the regional networks were marked.

The commission gave no information as to the disposition made of the scripts marked for study.

Glass for Recordings

Glass bases will be used by CBS instead of aluminum for acetate recordings of programs, because the metal has been placed on the priorities list.

MCA Is Taking Over CBS Artists Bureau

First major result of the FCC monopoly regulations was the disclosure yesterday that CBS will announce within a week and possibly today the sale of its Columbia Artists, Inc., to Music Corp of America. Most of the present personnel, including executives, are slated to move to MCA, it was reported. Columbia Concerts is not involved.

In the monopoly report, the FCC criticized severely the practice of networks in maintaining artist bureaus.

Off the Antenna

FILM musicals, which have suffered somewhat in exploitation because of the BMI-Ascap fight, are beginning to look to Mutual, which has signed an Ascap contract. The first complete score of such musical, from Paramount's "Kiss the Boys Goodbye," will be broadcast next Tuesday at 9:30 P.M. over Mutual during Morton Gould's program.

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Purely Personal: *Carl Ruff, WOR trade news editor, will leave the station June 1 for a two-week vacation before reporting for Army service. . . . Elmer Davis, CBS news commentator, returned yesterday from a five-week tour of England. . . . Dr. Karl T. Compton, president of the Massachusetts Institute of Technology, has been elected to the NBC advisory council. . . . George H. Frey, NBC-Red salesman, will take part in an exhibition golf match today with Horton Smith, Jimmy Thompson and John Budd. . . . Walt Disney will be guest of Edgar Bergen over NBC-Red Sunday. . . . Edwin Weisman of the WMCA continuity department will leave the station Friday to become assistant to the president of Leon S. Golnick Associates, a Baltimore advertising agency. . . . Martin Weldon completed his sixth year as WINS staff announcer yesterday. . . . F. Willard Butler, NBC salesman in national and spot sales, and Dorothy Michel, of the commercial traffic department, will be married Sunday. . . . Clive E. Davis, formerly with KYW, Chicago, and WARD and WCNW, Brooklyn, has joined WTAG, Worcester, Mass., as announcer. . . . George Fuller, WFBR, Baltimore, announcer, has been called to Army service.*

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Two new rate cards have been issued by FM stations. W71NY (WOR) rates are $50 per hour to 6 P.M. and $100 thereafter. For W55M ("Milwaukee Journal") rates are $37.50 per hour to 6 P.M.; $75 to 11 P.M.; $37.50 to midnight, and $25 from midnight to 8 A.M., when daytime rates start.

• • •

The 4,000,000th visitor to take the tour of NBC studios is expected sometime early in June, it was said at the network yesterday. NBC claims that the studio tour is the second most popular in the country, being surpassed in the number of annual visitors only by those who visit George Washington's Mount Vernon home, it was said. Beginning tomorrow, the old price of 55 cents for the broadcasting tour and a similar charge for the television tour, with 90 cents for the combination, will be discontinued, and 55 cents will be charged for the combination.

• • •

Program News: *American Chicle Co. has renewed "Your Morning News" over WEAF for 13 weeks, effective June 2. It is heard Monday, Wednesday and Friday 7:30-7:45 A.M. . . . General Foods has placed a second large order with WQXR, sponsoring "Dinner Concerts" Monday through Saturday 6:30-7 P.M. beginning Sept. 1. . . . "Vox Pop" will be heard over two networks, CBS and NBC-Blue, during August and September. The present series for Penn Tobacco will end June 26 and the program will have its first layoff in 10 years. It will return to CBS Aug. 4 but will have no West Coast outlets until October when it will be heard on 74 stations. Meanwhile, from Aug. 8 to Sept. 26, "Vox Pop" will be heard on 75 NBC-Blue stations, replacing the Ben Bernie show, for Bromo Seltzer. . . . "Double or Nothing" has been renewed for 13 weeks over 116 Mutual stations for Feenamint. . . . Adam Hat Stores, Inc., has renewed "Hour of Champions" for the sixth year on WHN.*

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WMCA has received a complaint from a listener in the Philippines. According to the letter, there's a station in Shanghai which is interfering with the WMCA signal at Manila.

American Record Plan Is Approved

Federal Judge Vincent L. Leibell yesterday formally approved the plan of reorganization of the U. S. Record Corp., closing proceedings instituted in September, 1940. The order followed approval of the plan by over 90 per cent of the creditors with claims of $40,827 out of a total of $43,881, the order disclosed. Under the plan a group of officers of the old company have agreed to pay 14 per cent to all unsecured creditors.

WINS Transmitter Ready in September

The WINS 50,000-watt transmitter is expected to be ready some time in September despite delays due to priorities, it was stated yesterday. The station will move to new studios at 28 W. 44th St. on Sunday. However, the official opening of the new studios will be delayed for about three weeks as only four of the eight studios are ready.

CBC Employe Held As Communist Aide

OTTAWA, May 27.—Justice Minister LaPointe told the House of Commons today that James A. Murphy of Toronto, employe of CBC and union official, had been arrested because he is believed to be a member of the Communist party. At the time of his arrest, Minister LaPointe said, the Royal Canadian Mounted Police had no knowledge that he was carrying on negotiations for CBC technical employes with the Department of Labor.

The official said Murphy was alleged to have assisted in fitting up radio equipment found in a car operated for Communist purposes. Murphy was president of the radio division of the Association of Technical Employes.

Clifford Evans Dies

HOLLYWOOD, May 27.—Clifford F. Evans, 41, associated with Howard Christie in Phonofilms, Inc., coin-operated automatic projector company, is dead here.

FCC Hearings Soon On Paper Ownership

Washington, May 27.—Hearings on the question of newspaper ownership of radio stations may be called by the FCC within the week, James L. Fly, chairman, has disclosed. The commission has been studying the problem for some time, he stated, and is about ready to start taking testimony.

Until some policy is formulated, applications from newspapers for regular and FM stations are being held in the suspended file, he added.

Hearing on FCC Is Delayed to Monday

WASHINGTON, May 27.—The Senate Interstate Commerce Committee today deferred until next Monday hearings originally scheduled for Saturday on the White resolution to investigate the FCC.

The date was changed because of the weekend holiday and the possibility that several days will be required to hear witnesses on the desirability of the investigation.

Although in the nature of a preliminary study of the resolution itself, the hearings are expected to be somewhat of an investigation of the FCC, with Chairman James L. Fly supporting the chain regulations recently issued and Commissioners T. A. M. Craven and Norman S. Case attacking them. A number of broadcasters also are expected to appear, urging that the resolution be approved and the investigation undertaken.

Seek FCC Permits For 6 New Stations

WASHINGTON, May 27.—Applications for six new broadcasting stations have been filed with the FCC.

The applications were submitted by the Anthracite Broadcasting Co., Inc., for a 1,400-kilocycle, 250-watt station at Scranton, Pa.; Southwestern Michigan Broadcasting Corp., for a 980-kilocycle, 1,000-watt station at Kalamazoo; The Capitol Broadcasting Co. for a 1,400-kilocycle, 250-watt station at Port Allen, La.; Henry Norman Saurage for a 1,400-kilocycle, 250-watt station at Baton Rouge, La.; Nashville Broadcasting Co. for a 1,240-kilocycle, 250-watt station at Nashville, Tenn., and Air-Waves, Inc., for a 1,400-kilocycle, 250-watt station at Baton Rouge, La.

An application also was received from station WRAL, Raleigh, N. C., for change of frequency from 1,240 to 620 kilocycles and increase of power from 250 watts to 1,000 watts night, 5,000 watts day.

License Outdoor Shows

EVANSVILLE, Ind., May 27.—New city licensing ordinances place a fee ranging from $50 to $150, depending on how many vehicles it takes to transport the show, on all outdoor attractions. Fee applies to all circuses, Wild West shows, dog and pony shows and any sort of traveling menagerie.

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Roosevelt Has Power to Take Over All Radio

Says He Does Not Intend To Use Authority

WASHINGTON, May 28.—President Roosevelt's proclamation of an unlimited national emergency makes available to him the power to take over all forms of radio communication, but that authority is not expected to be exerted unless the situation leads to our involvement in war, it was said here today.

At the White House this afternoon, President Roosevelt said he had no intention of closing down any radio stations now or in the foreseeable future, although he had such power under the national defense legislation.

The President refused to discuss the conditions under which he would

(Continued on page 7)

Report Mono. Talks To Pay Off Pathe

It is reported in Wall Street that there have been discussions between Monogram company officials and Robert Young and Pathe Laboratory interests relative to liquidating Monogram's outstanding indebtedness to Pathe Laboratories amounting to $110,000 and also for purchase of Young's 65,000 shares in Monogram. Young is chairman of Pathe Laboratories. Under Monogram's arrangements with Pathe Laboratories, it is reported whatever new financing Monogram would obtain must be put behind the money presently owed to Pathe.

In paying off the Pathe loan, therefore, Monogram would be free of such

(Continued on page 8)

Studio Unions Act Without IATSE Aid

HOLLYWOOD, May 28. — IATSE studio locals today decided to push through negotiations for a new contract without asking the assistance of the International. Ten studio units involved plan to form a committee for action. At a meeting today they discussed the recent indictment of George E. Browne, International president and Willie Bioff, his Hollywood deputy, on extortion charges.

Damon Runyon Writes Review for M. P. Daily

Interstate Pledges Faith in Roosevelt

Galveston, Tex., May 28.—Managers and executives of Interstate Circuit, meeting here, last night sent a telegram to President Roosevelt, following his radio address, in which they jointly pledged "our lives, our fortunes and our sacred honor. America will not fail you." The message was signed by Karl Hoblitzelle, Interstate president.

[*More news of the convention on Page 2.*]

12,000 Theatres Expected to Enlist In Defense Effort

By SHERWIN A. KANE

A total of 12,000 theatres in the country are expected shortly to be enrolled in the industry's defense activities, it was said yesterday by Francis S. Harmon, coordinator of the Motion Picture Committee Cooperating for National Defense, speaking at an Ampa luncheon at the Hotel Edison.

Harmon described in detail the part played by the industry in national defense. He said that already 10,000 theatres have enrolled. These theatres will exhibit films approved by the industry program committee.

Harmon was introduced by Howard Dietz, advertising and publicity director of M-G-M, who is in charge of film publicity for the Treasury Defense Savings bonds sale. On the

(Continued on page 7)

Oh, Yes, It's About His Own Picture Called 'Tight Shoes'

By DAMON RUNYON

MIAMI BEACH, May 28.—It is always a tremendous thrill to me to see the characters of my short stories come to life on the screen. I have been particularly fortunate in that nearly always the screen writers and the directors and the actors of Hollywood seem to sense the mental processes of these characters as I have tried to depict them in print and thus I have been the beneficiary of singularly faithful reproductions. That is one reason why I am grateful to Hollywood.

I am one story writer who has never had cause for complaint over the transmission from manuscript to screen of a yarn of my imagining. In most cases the cinema version excelled the story itself because the screen of-

(Continued on page 8)

Alperson Heads RKO Film Buying

Edward L. Alperson, assistant to H. J. Fitzgerald, head of Fox Wisconsin Theatres, Milwaukee, has been named general manager of RKO Theatres film buying and booking department, Charles W. Koerner, general manager of the RKO circuit, announced yesterday.

Max Fellerman, who recently was made chief film buyer and booker for the RKO metropolitan theatres, is not affected by the appointment and will continue in that capacity, Koerner's announcement stated.

Alperson, who will take over his

(Continued on page 8)

Estimate 69,650,000 Persons in United States Listened to F.D.R.

Washington, May 28.—President Roosevelt's address last night was heard by a minimum of 69,650,000 persons in the continental United States, an all-time record audience for any program ever carried by radio, it was estimated today by White House Secretary Stephen Early.

Early explained that his estimate was based on a radio survey giving the President a 70 per cent rating. In addition it is believed the address was heard by 20,000,000 persons in Canada, South America and the British Isles, and doubtless by several millions more in other parts of the world, through short wave.

WHOM, New York foreign language station, rebroadcast President Roosevelt's speech five times yesterday, in as many languages —German, Italian, Spanish, Polish and Yiddish.

Silverstone Resigns as Chief of U. A.

Reported Dickering for Company's Shares

By SAM SHAIN

Maurice Silvertone, chief of world-wide operations of United Artists has resigned, effective when the company shall have named a qualified successor. Silverstone is going into business for himself. He is forming a film financing company which will finance pictures for release through United Artists. Mary Pickford will be associated with him. Also an unnamed topflight producer. No successor to Silverstone has been determined upon yet.

Maurice Silverstone

In the meantime, reports from Hollywood are that United Artists stock-

(Continued on page 8)

Whitney Approves Skouras Campaign

After visiting the Fox Theatre, Hackensack, N. J., operated by Skouras Theatres, and getting first-hand contact with the good neighbor campaign being carried on by Skouras Theatres, under the direction of George Skouras, president, and William White, associate and partner, John Hay Whitney, chairman of the motion picture division of the Office of Co-ordinator of Commercial and Cultural Relations Between the American Republics, yesterday gave the work his unqualified approval.

Whitney not only found the Skouras Theatres campaign and displays interesting but constructive and

(Continued on page 8)

No Paper Tomorrow

***Motion Picture Daily* will not be published tomorrow, Decoration Day.**

Reels Issue F. D. R. Speech as Special

Coverage of President Roosevelt's speech of Tuesday night was pre-released yesterday by all five news-newsreels. RKO Pathe News sent out its entire issue yesterday, a day earlier than usual, while the other reels will dispatch the remainder of their weekend issues today. Paramount also dispatched yesterday a clip on the sinking of the German warship, *Bismarck.*

Seeks $6,250,000 for Alleged Plagiarism

HOLLYWOOD, May 28. — John Igual Montijo, describing himself as a ghost writer-producer-director-actor, today filed two Federal Court suits seeking a total of $6,250,000 damages for alleged plagiarism of his manuscript, "Viva Madero" or "The Rebel, The Birth of a Revolution," by Paramount, Cecil B. DeMille Productions, Ernest Hemingway and others. He wants $5,000,000 from Hemingway, who he charged used parts of his story in "For Whom the Bell Tolls," and $1,250,000 from Paramount and DeMille for alleged use of parts of the same story in "North West Mounted Police."

Metro Buys 'Du Barry'

M-G-M has acquired motion picture rights to "DuBarry Was a Lady," the musical by B. G. DeSylva, Herbert Fields and Cole Porter. The show opened on Broadway Dec. 6, 1939 closed Nov. 23, 1940.

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Personal Mention

GEORGE J. SCHAEFER, president of RKO, is due here tomorrow from the Coast. He is expected to return to the studio next week.

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MATTHEW J. FOX, Universal vice-president, leaves Hollywood today for New York.

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ARTHUR BAHAN, manager of the Verdun Palace Theatre, Verdun, Ont., has been elected president of the local branch of the Lions Club.

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ED COHEN, 20th Century-Fox manager in Venezuela, who arrived here earlier in the week from Caracas, is visiting in Washington.

BEN WASHER of Donahue & Coe, leaves today for a three-week visit to California, traveling by automobile.

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J. MEYER SCHINE, Schine Circuit executive, is in town from Gloversville, N. Y.

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HAROLD ESKIN, exhibitor of Stamford, Conn., has bought a home there.

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AL SIMKO, manager of Warner's Vernon, Philadelphia, has left the circuit for defense work with Westinghouse Electric Co.

•

CHARLES SCHWARTZ is confined to his home with a cold.

Havana Exhibitors To Honor O'Connor

HAVANA, May 28.—Edward O'Connor, M-G-M branch manager here, will be honored at a luncheon by Cuban exhibitors and the local Federation of Film and Theatrical Reporters of Cuba on June 7 at the Royal Palm Roof.

Henry Weiner, United Artists branch manager here, has returned to work after recovering from an illness.

An anti-Nazi short subject, disclosing the activity of Nazi agents in Latin America, is in production here. Saviur Cancion and Rogelio Pujol are the producers. It will be available in English and Spanish versions.

Ferrer De Couto, noted Havana writer on the film industry, will be given a dinner shortly to celebrate his 20th year as a trade writer. Ernesto P. Smith, Columbia manager here, and Ramon Garcia of Universal, are in charge of the affair.

Summer Theatres Open in Phila. Area

PHILADELPHIA, May 28.—Hollywood screen names will be featured during the Summer season at the Summer theatres in the area. At the suburban Bucks County Playhouse at New Hope, Harpo Marx, the silent member of the famous trio, will mark his first speaking role when he appears with George S. Kaufman and Moss Hart in "The Man Who Came to Dinner" for the week of July 28. The season starts June 6 with Charles Butterworth starring in "George Washington Slept Here."

Warner Outing June 18

The annual cruise of the Warner Club to Bear Mountain will be held June 18. Ralph Budd is handling arrangements.

14TH WEEK ON B'WAY
JEAN GABIN in original unexpurgated
PEPE LE MOKO ★★★★ LIB. MAG.
Dist. by MAYER-BURSTYN

Republic Sets Titles For 16 New Pictures

Republic yesterday announced at the final session of the Eastern regional meeting the titles of the eight features, seven Westerns and one serial which the company previously stated would be released during the first quarter of the 1941-'42 season.

The features are "A Lady for a Night," "Mountain Moonlight," "Hurricane Smith," "Navy Blue Eyes," "Argentine Holiday," "Pardon My Stripes," "The Devil Pays Off" and "Gobs in Blue." The Westerns cheduled for the quarter are "Sierra Sue," "Jesse James at Bay," "South of Santa Fe," "Empty Saddles," "Gauchos of Eldorado," "Death Valley Outlaws" and "The Apache Kid." The serial is "King of the Rangers," starring Sammy Bough.

Kill Wage-Hours Bill In Illinois Assembly

SPRINGFIELD, ILL., May 28.—The Illinois Assembly Committee on Industrial Affairs today killed a bill proposing state wages and hours regulation which would have affected the film industry in the state.

By a vote of 18 to 12, the committee voted to postpone action on the bill until "June 30." This is tantamount to defeat of the measure since the legislature by law must adjourn sine die on June 30. It marked the third time the Illinois Assembly has voted down state wages and hours bills at this session.

Union Elects Monday

NEW HAVEN, May 28.—Exchange employes Local B-41 will hold its annual election of officers at the Hotel Garde Monday night, with Samuel Zipkin presiding.

Goldstein Joins Decker

Louis Goldstein of Astor Pictures of Southern California has joined Sam Decker of Majestic Pictures, in Majestic Pictures Distributing Corp., with offices in Los Angeles.

O'Malley Ampa Treasurer

David O'Malley of the Columbia publicity department has been elected treasurer of Ampa, succeeding Eli Sugarman, resigned.

Develop Manpower, Hoblitzelle Urges

GALVESTON, Tex., May 28. — Continued development of manpower with advancement from the ranks was urged by Karl Hoblitzelle, president of the Interstate Circuit, at the third day's session of the circuit's convention here today.

The draft and defense work have made great inroads in the y[illegible]ger personnel of the circuit, it wa[illegible]sclosed by managers in a discussion which followed. Many theatres have had to employ girls as ushers and the like for the first time, it was said.

The sesion opened with further comments by Hoblitzelle on loyalty to President Roosevelt and the country in this emergency. He said there were no illusions about the long hard pull that faced the nation, but was satisfied that the country's unity would make the task easier.

The telegram sent the President by the convention last night was read again and approved.

Joe Luckett, a pioneer of the business, outlined motion picture progress from its beginning to the present.

The convention will close tomorrow with visiting film and theatre company and press executives attending.

Dietz to Coordinate Defense Bond Show

Howard Dietz, M-G-M director of advertising and publicity, has been named by Secretary of Treasury Henry Morgenthau, Jr., to act as chairman and coordinator of the new variety program, "Millions for Defense," which will be heard over CBS Wednesdays 9-10 P.M. from July 2 to Sept. 17. Al Goodman's orchestra and Ray Block's chorus will be permanent features and there will be guest stars. The time will be paid for by the Texas Co., which sponsors the Fred Allen show at the same time during Winter months. Buchanan & Co. is the agency.

Godfrey Craig Dies

LOS ANGELES, May 28.—Godfrey Craig, 26, formerly an actor in the "Our Gang" comedies, died here yesterday after an illness of four months. His parents, a sister and a brother survive.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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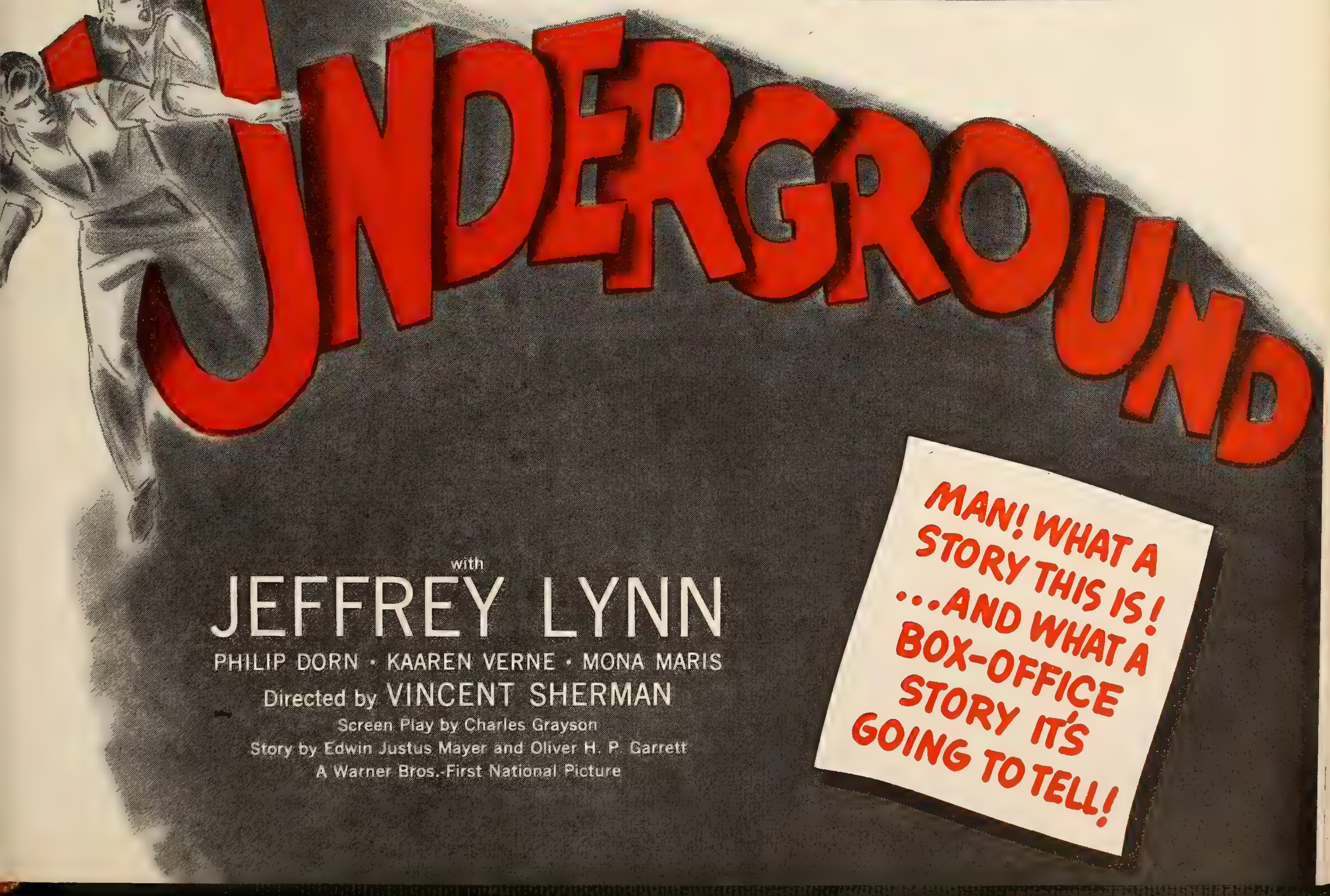
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MAN! WHAT A STORY THIS IS! ...AND WHAT A BOX-OFFICE STORY IT'S GOING TO TELL!

with
JEFFREY LYNN
PHILIP DORN · KAAREN VERNE · MONA MARIS
Directed by VINCENT SHERMAN
Screen Play by Charles Grayson
Story by Edwin Justus Mayer and Oliver H. P. Garrett
A Warner Bros.-First National Picture

Business Recession Affects Most Sections

Small Houses Most Affected In Phila. Area

Philadelphia, May 28.—Business has fallen off here for the past month, more noticeably in the neighborhood theatres than in the downtown houses, however. In the absence of ready explanations for the slump, local operators are unable to determine whether it is likely to be temporary.

Adding to the local trade's consternation is the fact that product generally is believed to be above average in quality and no one here blames the slump on recent or current releases.

It is believed that many do not have time to attend theatres because of complicated plant schedules resulting from two and three-shift routines at many factories engaged in defense production. Overtime schedules for nights and weekends also are being taken advantage of by many workers in this area. Radio, the circus, the draft and warm weather also are believed to take their toll of theatre patronage.

Some attempt has been made here to win patronage of defense workers through early matinees and late evening shows.

Denver Grosses Running Ahead of Last Year

Denver, May 28.—Denver houses generally are running ahead of a year ago, a survey has revealed.

The one first-run house that is not ahead of last year's receipts is holding even with 1940 figures. It was admitted, however, that getting people into the theatres is a "tougher job than ever," and real showmanship must come to the fore to induce patronage.

Spring Good, Summer Is Uncertain in Miami Beach

Miami Beach, May 28.—Spring theatre business at this resort city was at record volume, but the Summer trade still remains a question mark.

Winter crowds remained here almost two months longer this year than ever before, arriving a month later, and poured into local theatres continued strong grosses.

Drop Only Seasonal, Dallas Showmen Feel

Dallas, May 28.—Theatre operators here declare that the current slump in grosses is the usual seasonal drop of the early Summer. Exhibitors generally feel the decline is merely temporary. On the other hand, theatres near Army camps, of which there are several in Texas and Oklahoma, report business good.

Poor Farm Trade, Unrest At Fault in South Dakota

Sioux Falls, S. D., May 28.—Unusual Spring weather, which has cut farm trade, unrest over the war and radio are blamed by South Dakota theatre men for a business drop which has ranged up to 35 per cent in many situations. The state has received no stimulus from defense industries.

Draft Is Cited by Cincinnati Houses

Cincinnati, May 28.—A survey in this territory, including central and southern Ohio and parts of Kentucky and West Virginia, disclosed a number of reasons for the drop in grosses, which are decidedly under this time a year ago.

General mercantile and industrial business is good, with employment at a high point and luxury goods such as automobiles and radios enjoying strong sales. The draft is blamed by many theatre men for the decline in grosses. They also cite the unseasonably hot weather, and some attribute the drop to weak product.

Difference of Opinion On Baltimore Business

Baltimore, May 28.—A difference of opinion exists regarding business in Baltimore. Several theatre managers admit box-office receipts are unduly low while others insist business is completely satisfactory.

"Business is off," states Morris Mechanic, owner of the New Theatre. "The solution would be better pictures." Rodney Collier, manager of Warners' Stanley, says, "Business is good here, especially on Saturdays and Sundays. Night business is good, too, but we do find matinees are weak. I believe that's due to the fact so many people are working and don't have time to go to films in the afternoons."

Comerford Circuit in Anthracite Region Down

Scranton, Pa., May 28.—Receipts at the more than 100 theatres comprising the Comerford circuit are running slightly behind a year ago, reports indicate.

The anthracite coal fields — in which the Comerford houses are concentrated—are not as well off economically as other regions because of the paucity of defense industries. Abnormally warm weather in April and May cut down receipts, along with the return of night Eastern League baseball in Scranton and Wilkes-Barre.

Unusual Slump Puzzles New Haven Showmen

New Haven, May 28.—Operators are puzzled by the more than seasonal slump in progress for several months now, in view of Connecticut's large defense orders and apparent increase in retail sales. While employment is definitely increased, especially in the Bridgeport, Hartford, and Waterbury areas, the box-office has definitely not felt the expected portion of the increased cash in circulation. The weather and lack of leisure are blamed.

See 25% Drop in Montana Grosses

Helena, Mont., May 28.—Theatre business in Montana is estimated to have dropped 25 per cent below normal, partly because defense programs in West Coast centers have drained population without contributing any employment to attract new residents. Montana is one of the few states which so far has no direct benefits in the national program.

Final Installment

On this page is published the second and final installment of *Motion Picture Daily's* nationwide survey of theatre grosses.

Kansas City Shows Drop of 25 Per Cent

Kansas City, May 28.—While business in the smaller theatres and the smaller towns of this area report about normal business for this period, business at many of the larger houses in the cities is said to be about 25 per cent below normal.

The unseasonably warm weather, driving people outdoors, is held largely responsible here. War "jitters" also are held to blame for the decline, as are the radio news broadcasts and the draft. Defense work apparently has had little effect, one way or another, on business in this area.

Iowa Showmen Uncertain As to Cause of Decrease

Des Moines, May 28.—Theatre operators in Iowa are undetermined as to the cause of the unusual drop in business that started the week following Easter and is continuing. Most of the circuits and larger independents report a drop of from 10 to 20 per cent in business in the past few weeks from that of last year while some of the smaller operators feel that their loss is even greater. The draft is said to be the chief cause of the lull.

Slowest in Two Years, Is Report in Spokane

Spokane, Wash., May 28.—Theatre business during the past month has been worse than at any time in two years, independent and circuit operators agree. This condition applies not only to Spokane, but to all inland towns in the Northwest, they say.

The war scare is blamed chiefly, but other factors cited are the draft and loss of families to defense industry areas.

Draft Seen Cause of Slump in Indianapolis

Indianapolis, May 28. — The slump in business in this area has been particularly noticeable in the last three weeks and few exhibitors report grosses equal to a year ago.

Selective service is held to be part of the cause. In Indianapolis, however, exhibitors are at a loss for an explanation. Part of the slump, they say, most certainly comes because people are "too busy" on defense work.

Slowest in Five Years Newark Theatres Report

Newark, May 28.—"The slowest Spring in five years," was the way one showman characterized business. Other managers agree that grosses have been off during the past month and a half. The range of reasons given is large, including the weather, the draft, local elections and the lack of leisure time on the part of workers.

Defense Work Is Handicap In Minnesota

Minneapolis, May 28.—Defense in Minnesota has proved a handicap to theatres, a survey reveals.

What defense orders have been received by state industry do not balance the drain in men occasioned by the draft and the call for skilled labor elsewhere.

In the Twin Cities the picture is not so gloomy. Fort Snelling, one of the army's old-line army camps, is filled to capacity with trainees, and a number of industries have received fat defense orders. Those factors and the city-bound public's attempts to escape heat, are expected to keep business above the Summer normal.

Daylight Time Blamed In Eastern Canada

St. John, N. B., May 28.—Daylight Saving Time is blamed in large measure for the decline in theatre business here and in the Eastern Canadian provinces. This, combined with warm weather, make the situation more difficult, according to theatre operators here. Also held responsible is the sharp increase in the cost of living. The need in this area, where war news is a competitive factor, is for light, comedy films, observers say.

Estimate 40% Decline In Atlanta Receipts

Atlanta, May 28.—Business in Atlanta since January is estimated as being off up to 40 per cent. Exchange managers report that this percentage will hold generally true throughout the Southeast.

Theatres in this section are getting no benefit from defense spending and there have been complaints from some exhibitors that this is the cause of the drop in receipts. Others insist pictures this Spring have not been as good as those of even a year ago.

Cost of Living, Draft Blamed in Illinois

Springfield, Ill., May 28. — A check of representative exhibitors in Central Illinois shows, with but few exceptions, that business has taken an unseasonal slump in recent weeks. They offer varied explanations of the decreased grosses. These include general uneasiness over the war with the result that people are not spending as much money; the heavy drain of military service, and the higher cost of foods.

Arkansas Exhibitors Report 25-30% Off

Little Rock, Ark., May 28.—For the past six weeks there has been a decrease of 25 to 35 per cent in box-office returns. The Robb and Rowley circuit, operating some seven houses here, have been hit hard. There have been no holdovers in Little Rock since January. Camp Robinson, near here, with some 45,000 men, has not in any way increased box-office returns. Weekly shows are held there.

Competition Empties Philadelphia Houses

PHILADELPHIA, May 28.—Exhibitors here are expecting grosses to touch new low levels this week because of a combination of competitive factors.

Last night theatres were hit by the President's radio address, with some neighborhoods entirely without patrons at the late shows, according to report. Tonight a patriotic rally at Convention Hall further hurt business, tomorrow Charles A. Lindbergh is scheduled to speak at the Arena, and the heat wave is expected to accelerate the exodus from the city for the seashore over the weekend.

Chicago Decline 15%

CHICAGO, May 28. — President Roosevelt's speech last night caused a decline in local grosses estimated at approximately 15 per cent.

Twin Cities Off Nearly 50%

MINNEAPOLIS, May 28.—The radio address of President Roosevelt last night is estimated to have caused a drop in grosses in the Twin Cities approaching 50 per cent.

'Doe' Gets $11,000 Tally, Buffalo High

BUFFALO, May 28.—"Meet John Doe" and "Knockout" made $11,000 at the Great Lakes. Aided by a stage show with Bob Crosby and orchestra, "The Great Mr. Nobody" grossed $13,000 at the Twentieth Century.

Estimated receipts for the week ending May 17:

"A Woman's Face" (M-G-M)
"I'll Wait for You" (M-G-M)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $8,100. (Average, $12,000)

"Meet John Doe" (W.B.)
"Knockout" (W.B.)
GREAT LAKES—(3,000) (30c-55c) 7 days. Gross: $11,000. (Average, $7,500)

"The Hamilton Woman" (U.A.)
"Washington Melodrama" (M-G-M)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $4,800. (Average, $6,200)

"The Great Mr. Nobody" (W.B.)
TWENTIETH CENTURY—(3,000) (30c-35c-50c) 7 days. Bob Crosby and his orchestra on stage, with The Bobcats. The Bobolinks, Liz Tilton, Roy Bauduc and Bobby Haggart; also Cass Daley and Bob DuPont. Gross: $13,000. (Average, $7,500)

"The Lone Wolf Takes a Chance" (Col.)
"Blondie Goes Latin" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $4,000. (Average, $7,500)

'Hamilton' $2,800; New Haven Slow

NEW HAVEN, May 28.—The only bill to reach the average mark was the second week of "That Hamilton Woman" and "The Penalty" at the College. The gross was $2,800. An outdoor amusement park and warm weather provided competition.

Estimated receipts for the week ending May 23:

"That Hamilton Woman" (U. A.)
"The Penalty" (M-G-M)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $2,700)

"The Great American Broadcast" (20th-Fox)
"Scotland Yard" (20th-Fox)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $7,500. (Average, $8,000)

"Sis Hopkins" (Repub.)
"Model Wife" (Univ.)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $3,500. (Average, $4,500)

"Wagons Roll at Night" (W. B.)
"Double Date" (Univ.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $3,600. (Average, $5,000)

Hollywood Review

"Time Out for Rhythm"

(Columbia)

Hollywood, May 28

THIS is a mildly entertaining musical built around several radio performers, the dancing of Ann Miller and comedy as supplied by the Three Stooges.

The cast also includes Rudy Vallee, who has the chief dramatic role and sings only briefly; Rosemary Lane, Allen Jenkins, Joan Merrill, Richard Lane and Stanley Andrews. Radio players appearing in the picture are Brenda and Cobina, Six Hits and a Miss, Eddie Durant's Rhumba Orchestra and Glen Gray and His Casa Loma Band.

The antics of the Three Stooges and the dancing of Ann Miller enliven a film which has even less plot than most musicals. Vallee and Richard Lane form a theatrical agency which is broken up and established again. The musical variety interpolations are built around seven songs by Sammy Cahn and Saul Chaplin.

"Time Out for Rhythm" was produced by Irving Starr and directed by Sidney Salkow.

Running time, 75 minutes. "G."*

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*"G" denotes general classification.

'Serenade' $9,500; Pittsburgh Is Dull

PITTSBURGH, May 28.—Drooping box-offices, attributed to consumer buying of heavy goods instead of entertainment, and to heat, were relieved by "Penny Serenade" taking $9,500 at the Senator.

Estimated receipts for the week ending May 22:

"The Flame of New Orleans" (Univ.)
FULTON—(1,700) (28c-44c) 7 days. $3,300. (Average, $5,000)

"A Woman's Face" (M-G-M)
LOEW'S PENN—(3,400) (28c-39c-55c) 7 days. Gross: $13,500. (Average, $13,000)

"Meet John Doe" (W.B.)
RITZ—(800) (28c-39c-55c) 7 days, 3rd week. Gross: $3,000. (Average, $3,000)

"Penny Serenade" (Col.)
SENATOR—(1,800) (28c-39c-55c) 7 days. Gross: $9,500. (Average, $5,000)

"There's Magic in Music" (Para.)
STANLEY—(3,600) (28c-44c-66c) 7 days. On stage: Ciro Rimac, Diosa Costello and Latin-American revue. Gross: $10,000. (Average, $18,000)

"That Hamilton Woman" (U.A.)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $5,000)

Indianapolis Has Slump in Grosses

INDIANAPOLIS, May 28.—Every first run was below average in one of the worst weeks in recent years. "That Hamilton Woman," on a dual, took $6,500 at Loew's. The weather was mild.

Estimated receipts for the week ending May 23:

"The Wagons Roll at Night" (W. B.)
"They Met in Argentina" (RKO)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $3,600. (Average, $6,000)

"Affectionately Yours" (W. B.)
"The Black Cat" (Univ.)
INDIANA—(3,200) (28c-33c-44c) 7 days. Gross: $4,000. (Average, $6,000)

"That Hamilton Woman" (U. A.)
"The Big Boss" (Col.)
LOEW'S—(2,800) (28c-33c-44c) 7 days. Gross: $6,500. (Average, $7,000)

"Lady from Louisiana" (Rep.)
LYRIC — (2,000) (30c-40c-50c) 7 days. Stage: Pinky Tomlin's Band. Gross: $7,300. (Average, $8,000)

Drop Tax Charges

MINNEAPOLIS, May 28. — Indictments charging Harry Hirsch and Harry Katz, operators of the Alvin, with non-payment of the federal amusement tax, have been dismissed by Federal District Judge George F. Sullivan.

Hopkins, Lombardo $20,000, Phila. Top

PHILADELPHIA, May 28.—Business at the downtown houses slumped considerably. Biggest competitive factor was the Ringling Brothers circus. The weather was hot. "Sis Hopkins" with Guy Lombardo on the stage gave the Earle $20,000.

Estimated receipts for the week ended May 21-23:

"Topper Returns" (U.A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days. Gross: 7,500. (Average, $9,000)

"Ziegfeld Girl" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd week, 2nd run. Gross: $2,600. (Average, $2,600)

"That Hamilton Woman" (U.A.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 3rd week. Gross: $10,500. (Average, $13,000)

"Sis Hopkins" (Rep.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Guy Lombardo's orchestra, Carmen, Lebert and Victor Lombardo, Kenny Gardner, Gil Lamb, Ralph Olsen & Lynn Shirley. Gross: $20,000. (Average, $14,000)

"The Great American Broadcast" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $12,800. (Average, $13,000)

"That Uncertain Feeling" (U.A.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,000. (Average, $3,000)

"The Devil and Miss Jones" (RKO)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,000. (Average, $4,500)

"Meet John Doe" (W.B.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $10,500. (Average, $14,000)

"The Flame of New Orleans" (Univ.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,800. (Average, $4,500)

8 Films Approved By Decency Legion

The National Legion of Decency for the current week has approved eight of 10 new pictures reviewed and classified, three for general patronage and five for adults, while two were called objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage — "Desert Bandit," "The Pioneers," "Scattergood Pulls the Strings." Class A-2, Unobjectionable for Adults—"The Gay Vagabond," "King of the Zombies," "Love Crazy," "She Knew All the Answers," "Shepherd of the Hill." Class B, Objectionable in Part—"Kiss the Boys Good-bye," "A Woman's Face."

'Broadcast,' Duchin Take Chicago Lead

CHICAGO, May 28. — "The Great American Broadcast," with Eddy Duchin's band on the stage of the Chicago Theatre, took $34,000.

Estimated receipts for the week ending May 22:

"Fantasia" (Disney)
APOLLO — (1,400) (50c-75c-$1.10-$1.65) 7 days, 13th week. Gross: $12,800. (Average $6,500)

"The Great American Broadcast" (20th-Fox)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: Eddy Duchin band. Gross: $34,000. (Average: $32,000)

"The Great Lie" (W. B.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,200. (Average, $5,000)

"Nice Girl?" (Univ.)
"Man Who Lost Himself" (Univ.)
ORIENTAL — (3,200) (25c-40c) 7 days. Gross: $10,500. (Average, $13,000)

"Citizen Kane" (RKO) 4 days
(75c-$1.10-$1.65)
"Flame of New Orleans" (Univ.)
"The Black Cat" (Univ.) 3 days
(30c-40c-60c)
PALACE—(2,500)—Gross: $7,000. (Average, $13,000)

"The Great Dictator" (U. A.)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days, 3rd week. Gross: $12,000. (Average, $11,000)

"The Mad Doctor" (Para.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Ada Leonard and Helen Morgan. Gross: $14,000. (Average, $15,000)

"That Hamilton Woman" (U. A.)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 3rd week. Gross: $9,200. (Average, $14,000)

"Citizen Kane" (RKO)
WOODS—(1,100) (75c-$1.10-$1.65) 7 days, 2nd week. Gross: $8,500)

'Wings' at $12,000 Leads in Toronto

TORONTO, May 28. — "I Wanted Wings" drew $12,000 at the Imperial. "Buck Privates" at Shea's in the seventh week grossed $9,500 with the help of a public holiday, Victoria Day.

Estimated receipts for the week ending May 24:

"I Wanted Wings" (Para.)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $12,000. (Average, $9,000)

"Men of Boys Town" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days, 2nd week. Gross: $9,800. (Average, $9,000)

"Buck Privates" (Univ.)
"Power Dive" (Para.)
SHEA'S—(2,663) (18c-30c-48c-60c) 6 days, 7th week. Gross: $9,500. (Average, $9,000)

"Footsteps in the Dark" (W.B.)
"The Lady Eve" (Para.)
TIVOLI — (1,434) (12c-30c-48c) 6 days. Gross: $4,200. (Average, $3,900)

"Meet John Doe" (W.B.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days. Gross: $11,800. (Average, $9,000)

'Hopkins' and Show $7,000, Kansas City

KANSAS CITY, May 28.—"Sis Hopkins" at the Tower drew $7,000, while the Newman took $8,000 with "I Wanted Wings." The weather was fine.

Estimated receipts for the week ending May 20-25.:

"The Flame of New Orleans" (Univ.)
"Give Us Wings" (Univ.)
ESQUIRE—(800) (28c-44c) 6 days. Gross: $1,800. (Average, $1,900)

"A Woman's Face" (M-G-M)
"Washington Melodrama" (M-G-M)
MIDLAND — (3,600) (28c-44c) 7 days. Gross: $6,500. (Average, $9,500)

"I Wanted Wings" (Para.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $8,000. (Average, $7,500)

"Sis Hopkins" (Rep.)
TOWER—(2,200) (30c) 7 days. With stage show. Gross: $7,000. (Average, $6,000)

"The Flame of New Orleans" (Univ.)
"Give Us Wings" (Univ.)
UPTOWN — (2,000) (28c-44c) 6 days. Gross: $2,500. (Average, $2,000)

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
May 2	The Big Boss (D) 2037 They Dare Not Love (D) 2011	People vs. Dr. Kildare (D) 133 *Ayres-Day*	Reaching for the Sun (D) 4027 *Joel McCrea* *Ellen Drew*	The Singing Hill (O) 046 *Gene Autry* *Smiley Burnette*				Black Cat (D) 5028 *Basil Rathbone* *Hugh Herbert*	Thieves Fall Out (C) 516 *Eddie Albert* *Joan Leslie*	Roar of the Press *Jean Parker* (Mono.)
May 9	Her First Beau (C) 2013 *Jane Withers* *Jackie Cooper*	A Woman's Face (D) 136 *Joan Crawford* *Melvyn Douglas*		Country Fair (C) 015 Sheriff of Tombstone (O) 056		Great American Broadcast (M) 140 *Alice Faye* *Oakie-Payne*			Affectionately Yours (C) 566 *Merle Oberon* *Dennis Morgan*	The Pioneers House of Mystery (Mono.)
May 16	She Knew All the Answers (C) 2008 *Joan Bennett*	I'll Wait for You (D) 135 *Marsha Hunt* *Robt. Sterling*	There's Magic in Music (M) 4021 *Allan Jones* *Susan Foster*	The Gay Vagabond (C) 022 *Roscoe Karns*		Cowboy and the Blonde (O) 141 *Mary B. Hughes* *G. Montgomery*	Adventures of Tom Sawyer (D) Prisoner of Zenda (D) (Re-issues)		Singapore Woman (D) 563 *Brenda Marshall* *David Bruce*	King of the Zombies (Mono.) Lone Rider in Ghost Town 165 (PRC)
May 23	Naval Academy (D) 2020 *F. Bartholomew*	Love Crazy (C) 134 *Myrna Loy* *Wm. Powell*	Pirates on Horseback (O) 4054 *Boyd-Hayden*	Desert Bandit (O) 077 *Don Barry* *Lynn Merrick*	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) 142 *John Beal*		Too Many Blondes (M) *Rudy Vallee* *Helen Parrish*	The Nurse's Secret (D) 523 *Lee Patrick* *Regis Toomey*	The Redhead (Mono.) Emergency Landing 109 (PRC)
May 30	Adventure in Washington (D) *Herbert Marshall* *Virginia Bruce*	Billy the Kid (O) 137 *Robert Taylor* *Mary Howard*	I Wanted Wings (D) 4028 *Ray Milland* *Holden-Morris*	Saddlemates (O) 067 *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* The Saint's Vacation (D)	Blood and Sand (D) 143 *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane* *Jeffrey Lynn*	Silver Stallion (Mono.) Paper Bullets 125 (PRC)
June 6		Mata Hari (D) (Reissue) *Greta Garbo* *L. Barrymore*		Angels With Broken Wings (D) 016 *Binnie Barnes*	The Reluctant Dragon (Disney) 191 Cyclone on Horseback (O)	For Beauty's Sake (C) 144 *Ned Sparks* *Marjorie Weaver*		Men of the Timberlands (D) 5055 *Arlen-Devine*	Devil Dogs of the Air (D) 550 (Re-issue) Shining Victory (D)	Wranglers' Roost (Mono.) Texas Marshal 156 (PRC)
June 13	Richest Man in Town (C) *Roger Pryor* *Eileen O'Hearn*	The Get-Away (D) 138 *Robt. Sterling* *C. Winniger*	One Night in Lisbon (D) *F. MacMurray* *M. Carroll*		Bring 'Em Back Alive 131 *Frank Buck*	Bride Wore Crutches (C) 112 *Lynne Roberts*	Broadway Limited (C) *Vic. McLaglen* *M. Woodworth*	Tight Shoes (D) *Binnie Barnes* *Brod. Crawford*	The Gentle People (D) *John Garfield* *Ida Lupino*	The Gang's All Here (Mono.) Criminals Within 111 (PRC)
June 20	Time Out for Rhythm (M) Hands Across the Rockies (O)	The Big Store (C) *Marx Bros.*	West Point Widow (D) *Anne Shirley* *Richard Carlson*	Nevada City (O) 057 *Roy Rogers* *Gabby Hayes*	They Meet Again (D) 134 *Jean Hersholt* *Dorothy Lovett*	Man Hunt (D) 146 *Walter Pidgeon* *Joan Bennett*		Law of the Range (O) San Antonio Rose (O)	Passage from Hong Kong (D) *Keith Douglas*	Black Beauty (Mono.)
June 27	Sweetheart of the Campus (M) Medico of Painted Springs (O)	Unholy Partners (D) *Clark Gable* *Rosalind Russell*	Parson of Panamint (D) *Charles Ruggles* *Ellen Drew*	Kansas Cyclone (O) 078 *Don Barry*		A Very Young Lady (D) 145 *Jane Withers* *Nancy Kelly*		Hit the Road (D) *Dead End Kids* *Tough Guys*	Underground (D) *Jeffrey Lynn* *Mona Maris*	Bowery Blitzkrieg Wanderer of the West (Mono.)
July 4	I Was a Prisoner on Devil's Island (D)	Barnacle Bill (D) *Wallace Beery* *Virginia Weidler*	Caught in the Draft (C) *Bob Hope* *Dorothy Lamour*	Gangs of Sonora (O) 068 *3 Mesquiteers*		Moon Over Miami (M) 147 *Don Ameche* *Betty Grable*		Sandy Steps Out (C) *Baby Sandy* *E. E. Horton*		Gambling Daughters (PRC)
July 11	Two in a Taxi (D) *Anita Louise* *Russell Hayden*	Ringside Maisie (C) *Ann Sothern* *George Murphy*				Accent on Love (D) 148 *Cobina Wright* *G. Montgomery*		Hello Sucker (C) *Hugh Herbert* *Tom Brown*		
July 18	Blondie in Society (C) *Singleton-Lake* *Larry Simms*		Shepherd of the Hills (D) *John Wayne* *Betty Field*			Dance Hall (D) 149 *Cesar Romero* *Carole Landis*				

PUT PARAMOUNT'S 'FEATURE SHORTS' on Your Program

May 23
Benchley Comedy
'THE FORGOTTEN MAN'

May 23
Grantland Rice Sportlight
'ON THE SPOT'

May 30
Animated Antics Cartoon
'ZERO, THE HOUND'

May 30
Magnacolor
UNUSUAL OCCUPATIONS No. 5

100% BOX OFFICE TESTED!

'Boys Town' Boston High With $33,000

BOSTON, May 28.—"Men of Boys Town" and "Washington Melodrama" drew a total of $33,000, with $18,700 at Loew's Orpheum and $14,300 at Loew's State. "Meet John Doe" took $19,200 at the Metropolitan.

Estimated receipts for the week ending May 21:

"King of the Zombies" (Mono.)
"The Singing Hill" (Rep.)
"Emergency Landing" (P. R. C.)
"Pirates on Horseback" (Para.)
KEITH BOSTON — (3,200) (28c-33c-44c-55c-65c) 4 days, 3 days with vaudeville including A. B. Marcus Continental Revue and the 1941 Edition of La Vie Paree Revue. Gross: $11,000. (Average, $8,000)

"That Uncertain Feeling" (U. A.)
"Double Date" (Univ.)
KEITH MEMORIAL — (2,907) (28c-33c-44c-55c) 7 days. Gross: $11,600. (Average, $16,000)

"Meet John Doe" (W. B.)
"Strange Alibi" (W. B.)
METROPOLITAN — (4,367) (28c-39c-44c-55c) 7 days. Gross: $19,200. (Average, $15,500)

"Cheers for Miss Bishop" (U. A.)
"Sis Hopkins" (Rep.)
PARAMOUNT — (1,797) (28c-39c-44c-55c 7 days, 2nd run. Gross: $5,100. (Average, $7,500)

"Cheers for Miss Bishop" (U. A.)
"Sis Hopkins" (Rep.)
FENWAY — (1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $3,200. (Average, $4,500)

"The Great Lie" (W. B.)
"Knockout" (W. B.)
SCOLLAY — (2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $3,000. (Average, $4,000)

"Men of Boys Town" (M-G-M)
"Washington Melodrama" (M-G-M)
LOEW'S STATE — (3,000) (28c-33c-44c-55c) 7 days. Gross: $14,300. (Average, $12,000)

"Men of Boys Town" (M-G-M)
"Washilngton Melodrama" (M-G-M)
LOEW'S ORPHEUM — (2,900) (28c-33c-44c-55c) 7 days. Gross: $18,700. (Average, $17,500)

Normal Disney Work Met Despite Strike

HOLLYWOOD, May 28.—Normal production schedules are proceeding at the Walt Disney studio despite the strike of Screen Cartoonists Local 852 which started this morning, according to the company. A studio statement said 309 of the 1,214 employees failed to report. The union claimed 450 are striking.

IATSE sound technicians' union said seven members were ordered not to cross the picket line, and the photographers' union said 25 camera workers would be ordered out. All union musicians, cameramen and cutters crossed the picket line this morning, however.

The Society of M. P. Film Editors has ordered a meeting June 3 to take a strike vote and decide on aiding the cartoonists. The editors have been attempting to negotiate a Disney contract.

Walt Disney today asked the NLRB to conduct an election to determine whether the striking union or the American Society of Cartoonists has the majority of workers at his studio.

Reopen Newport House

NEWPORT, R. I., May 28. — The Strand, M & P house here, has reopened under manager David Dugan, having been closed since March for extensive rebuilding.

12,000 Theatres Expected To Enlist in Defense Effort

(*Continued from page 1*)

dais at the meeting, in addition to Dietz and Harmon, were: Barney Balaban, Paramount president; Martin Quigley, Herman Wobber, Joseph Bernhard, Ned Depinet, Walter Vincent, E. B. Hatrick, Ed Schreiber, Sam Morris and Vincent Trotta, Ampa president.

Distribution of the films is under the direction of the distributors' division, of which W. A. Scully is chairman. The first list of films is being distributed now through 31 designated exchanges. The second headed by "America Preferred," a four-minute trailer produced by the U. S. Treasury Department on behalf of the defense bonds and savings stamps, will be handled by 31 different exchanges and future distribution will be allocated accordingly so as to spread the responsibiilty of the work among all units of the distribution branch of the industry.

The official films are transported without charge by the 26 trucking associations comprising Film Carriers, Inc., with the approval of the Interstate Commerce Commission.

In the first list of films already released by the committee are 12 one-minute Army trailers to stimulate recruiting; a 10-minute short subject, "Power for Defense"; a trailer, "Calling All Workers," produced by the Social Security Board and National Screen Service on the Federal census of unemployed employables; and the defense bond and savings stamp trailer, 1,000 prints of which were shipped to exchanges last week.

In addition, seven sets of 300 tags varying in length from 26 to 65 feet, also dealing with the defense bonds and savings stamps, are being attached to feature prints to be released during the next few weeks.

A 170-foot trailer dealing with the need for recreational facilities for soldiers, sailors and defense workers were completed yesterday and 1,000 prints will be shipped to exchanges in time for exhibition beginning June 3. The subject was produced by United Service Organizations for National Defense and features Charles P. Taft and Thomas E. Dewey.

Harmon also reported that sample prints of three trailers had been received from the Advisory Commission to the Council of National Defense and will be reviewed by the program committee at once. Lee Newbury has been named to the program committee as an Allied States representative, and Max A. Cohen as an MPTOA representative.

Harmon also reported on the work of the newsreels in the industry's defense activity, revealing that during the second half of 1940 one-sixth of all newsreel subjects related to national defense, and currently 25 per cent of newsreel clips relate to the defense effort and contribute to national morale.

Activities of the production division of which Y. Frank Freeman is chairman and Lt. Col. Darryl F. Zanuck is vice-chairman, also were described. Among the most important work of the production committee, he said, is the production of commercial and non-theatrical films for use in defense industries and the service branches. In these categories are instructional films for workers, a series of 50 training films for service branches produced in Hollywood under the auspices of the Research Council of the Academy of M. P. Arts & Sciences in cooperation with the Army Signal Corps.

Studios Pledge Support

Hollywood, May 28.—Y. Frank Freeman, chairman of the M. P. Production Defense Committee, in a statement issued following the President's address last night, pledged the full cooperation of all branches of film production in the "present national emergency."

In addition, the Research Council recently undertook production of a social hygiene film for the U. S. Public Health Service, and Zanuck's committee is remaking a 1928 three-reel film dealing with life at West Point for the War Department's Public Relations Bureau.

A further phase of the industry's work, Harmon said, was cooperation with the Administration's program for improved relations among the American republics. The industry's part includes accurate portrayals in Latin American pictures.

Roosevelt Has Power to Take Over All Radio

(*Continued from page 1*)

exercise his authority to control communications, and indicated that nothing like that had been contemplated when he proclaimed the unlimited mergency last night.

The Defense Communications Board has charted the operation of broadcasting and other forms of television under emergency conditions. Its efforts have been aimed at the regulation of operations in the event of war.

While the full import of the President's proclamation is still being studied, there are no indications that it means the country will go under war conditions. It does mean, however, that all of the necessary energies of the country must be devoted to preparation against the eventuality that war may touch this side of the Atlantic.

Largely, the President's action was directed to channeling the nation's production toward defense, eliminating labor difficulties, and the like.

Reject Sunday Films

NEW CASTLE, Del., May 28.—Citizens of New Castle rejected the proposal for Sunday films within the town limits by a 2-1 majority, 236 to 92.

ANGELS WITH BROKEN WINGS
BINNIE BARNES • GILBERT ROLAND
MARY LEE
BILLY GILBERT · JANE FRAZEE · EDWARD NORRIS
KATHARINE ALEXANDER · LEO GORCEY · LOIS
RANSON · LENI LYNN · MARILYN HARE
BERNARD VORHAUS, Director • Screen play by George Carlton Brown and Bradford Ropes • Original story by George Carlton Brown
A REPUBLIC PICTURE
GILBERT ROLAND
He's no angel....
He's a devil with the ladies.

Silverstone Resigns as Chief of U. A.

(Continued from page 1)

holders are planning to revamp the firm and reorganize it, and that under this reorganization, Silverstone will emerge as owner of stock in the company formerly held by Samuel Goldwyn or the Douglas Fairbanks estate, or both. It is also reported that the selling price of the Fairbanks estate stock in U.A. has been set at $50,000 more than the Goldwyn share, or $350,000. The Goldwyn settlement was for $300,000.

Silverstone Telephoned

Silverstone revealed his resignation over the long distance telephone, yesterday, from Hollywood. Edward Raftery, member of the law firm of O'Brien, Driscoll & Raftery, of counsel to United Artists, who is in Hollywood, was with Silverstone when the conversation took place and indicated that a successor has not yet been decided upon.

Silverstone stated that he asked to be relieved of his executive responsibilities.

The settlement was put into writing only yesterday and late in the day, Mary Pickford issued a confirming statement of her forthcoming association with Silverstone.

U. A. Free to Act

Under the company's by-laws established when Maurice Silverstone became the executive head of United Artists, only Dr. A. H. Giannini, former president of the company, or Silverstone could be its president, and to name another required the unanimous vote of all stockholders.

Purchase of the Goldwyn stock reduced the number of stockholders to four, and if the Fairbanks share were also to be purchased the number of stockholders which would have remained were three, Mary Pickford, Charles Chaplin and Alexander Korda.

Silverstone stated yesterday that he probably will be back in New York on Monday. Raftery indicated that he had much more work to do on the Coast and might not return for a fortnight. Miss Pickford is coming with Silverstone.

Recently Arthur W. Kelly and other U.A. officials have made overtures to leading trade personalities for executive posts in the company. None of these overtures, however, succeeded. Kelly presently is in Hollywood.

Maurice Silverstone entered the industry in 1918, his early career having been in law, during which he was on the New York district attorney's staff. He was general manager of Cosmopolitan Productions (Hearst). He later represented U. A. in Latin America, Australasia and other countries and for some years was U. A. managing director in the United Kingdom. Resigning this post in June 1938, he was appointed chairman of the company's executive committee, later becoming chief of world-wide operations.

Damon Runyon Writes Review for M. P. Daily

(Continued from page 1)

fers much greater latitude for expansion and detail and polish than is presented by the 4,000-word limitation of the average magazine. This is especially true of the latest of my stories to be screened, Mayfair Productions' 'Tight Shoes." I owe a debt of gratitude to the scenarists, Leonard Spiegelgass and Art Arthur, and to the director, Al Rogell, as well as to the producers, for the elaboration of this story into a piece of real entertainment.

Jules Levey, head of Mayfair, sent a print of "Tight Shoes" to Miami Beach Saturday that I might see it, and Mitchell Wolfson and Sidney Meyer had Sonny Shepherd, manager of the famous Lincoln Theatre on Lincoln Road, kindly run it under circumstances that proved a tough trial. It went on after midnight, following the run of "The Great Dictator," in my opinion one of the greatest pictures ever made, and certainly tremendous competition for any other picture to follow.

The regular audience remained to see what Sonny called a test preview, augmented by an invitation crowd, and the theatre was packed, which is unusual at this time of the year because most of us Dade County folks like to get to bed early during the off-season, and admitting that it was a home town audience rather predisposed to root for a neighbor, you cannot keep any audience entertained just on sentiment. Therefore, it is with no little gratification that I report that "Tight Shoes" had the folks laughing almost continuously.

It was a tribute not to the author of the original story, but to the entertainment value of the picture as finally evolved by the makers, and to the actors. I think Brod Crawford's "Speedy" is a remarkable characterization. I have long known Brod as an excellent actor, of course, but I did not know he had such a flair for comedy as he discloses in "Tight Shoes." I can show you his "Speedy," speech, mannerisms, and all, any night in Lindy's.

As for Binnie Barnes, one of my screen favorites—well, she is simply delightful, and I can show you a dozen of her, as she is in the picture, in real life, too. My old friend of Friars Club days, Tom Dugan, does a race track bit that was not in the original story but that I guarantee is one of the funniest things ever seen in pictures. And I suspect that someone connected with the making of "Tight Shoes" had your humble servant at a race track in mind when the situation was created.

The MOTION PICTURE DAILY asked me to write a review of the picture, but this is not a review. It is more of an appreciation. If I had had the casting myself, John Howard, Leo Carrillo, and all the rest, I could not have done better. You can see, gentle reader, that I seem to be pleased with "Tight Shoes."

Well, I am.

Group Meets Here On Color Television

A special subcommittee to develop the further possibilities of color television held an organization meeting at the Hotel New Yorker yesterday under the chairmanship of Dr. Peter Goldmark, CBS chief television engineer. The Radio Manufacturers Association is sponsoring the continued study of television standards.

Whitney Approves Skouras Campaign

(Continued from page 1)

worth while. He stated that he hoped other theatres throughout the country might follow the lead set by Skouras Theatres in thus promoting tolerance, Americanism and goodwill through similar displays and drives.

Whitney was particularly impressed by the fact that entire communities where Skouras Theatres are located have voluntarily contributed of their time and work towards establishing this extraordinary goodwill endeavor.

He thought the Hackensack display was outstanding. Whitney was accompanied on his visit by George Skouras.

Fairbanks Broadcasts

Douglas Fairbanks, Jr., who is making a tour of Latin American countries for the State Department, will be heard over CBS Saturday at 3:45 P.M. from Brazil.

Sixth Case Filed With Phila. Board

PHILADELPHIA, May 28.—The sixth arbitration complaint filed with the local board was made today by Edward I. Singer, president of the Hill Theatre here, on clearance, against Warners, Paramount and RKO.

Singer charges that the competing Sedgewick receives 14 days' clearance over the Hill from those three companies but only seven days from Loew's. He asks that the seven-day clearance be made uniform on all product played by the Hill.

Arbitrator Named In Denver Complaint

DENVER, May 28.—John Carroll, local lawyer and former district attorney, has been designated arbitrator of the complaint of the Star Theatre, Fort Lupton, Colo., against all five consenting companies, charging them with withholding releases in favor of the Rex, Brighton, Colo.

Cincinnati Hearing Is Postponed to June 5

CINCINNATI, May 28.—Hearing on the first local arbitration case, that of Willis H. Vance, operator of the suburban Eden and Ohio here, and Strand, Newport, Ky., against Loew's, Paramount and 20th Century-Fox, scheduled for today, has been postponed until June 5. The case involved clearance and "some run."

Ascap Pacts In Fla., Neb. May Be Voided

Indications are that Ascap will cancel all performing licenses outstanding in Florida and Nebraska as a result of the Supreme Court decision upholding the anti-Ascap laws of those states, according to Ascap sources. The society immediately will discontinue collections of royalties from all of its licensees in the two states.

Performers of copyright music, thereafter, will be obligated to negotiate with and obtain performing licenses from the individual owners of copyrights of each piece of music publicly performed.

Such a situation would be particularly difficult for theatres in the two states, since they have no control over the music contained in the films which they exhibit.

Suits for copyright infringements in both states for unlicensed or unauthorized music performances could be expected to be numerous and costly to commercial music users. Ascap could be relied upon to check unauthorized performances closely, since the principal objective of cancelling its outstanding licenses in Florida and Nebraska, according to observers, would be to demonstrate to commercial music users the costly and laborious process which would be involved in obtaining music licenses from individual copyright owners instead of Ascap.

The hoped for result by Ascap would be the discouraging of anti-Ascap legislation in other states and, perhaps, the instigation of a move to repeal existing anti-Ascap laws because of their burdensome effect on commercial music users within the states.

Report Mono. Talks To Pay Off Pathe

(Continued from page 1)

restrictions. There has been no revelation of the identity of the financing interests who would put up the new money for Monogram in the deal under discussion.

The deal has not yet been closed. W. Ray Johnston is president and founder of Monogram.

Alperson Heads RKO Film Buying

(Continued from page 1)

new post on Monday, has been active in the business since 1919. In distribution, he has been shipping clerk, salesman, branch manager, district manager and, in 1931, was general sales manager for Warners. He was assistant to Spyros Skouras in charge of buying, in the Warner Theatre department in 1929, and in the same capacity for Skouras Theatres in 1932. In May, 1936, he was elected president of Grand National Films, Inc., and resigned in 1939. He has since been with Fox Wisconsin.

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VOL. 49. NO. 106 NEW YORK, U. S. A., MONDAY, JUNE 2, 1941 TEN CENTS

71 Complaints In 4 Months Of Arbitration

6 Boards Without Cases; 13 Filed in May

A total of 71 arbitration complaints have been filed in 25 of the industry's 31 local boards in the four months, ended yesterday, since the opening of the system. Thus, the average is just under 18 complaints per month.

Six of the local boards still have had no complaints. They are Atlanta, Des Moines, Indianapolis, Kansas City, Omaha and Seattle.

Only 13 complaints were filed during the month of May, since there was a total of 58 cases of record on May 1. However, among the May

(*Continued on page* 6)

Theatres Playing Disney Picketed

HOLLYWOOD, June 1.—Screen Cartoonists Guild, Local 852, members and their sympathizers have threatened to spread the theatre picketing of houses playing Disney product, already begun in this area, to other cities, over the weekend.

Tomorrow night a meeting for discussion of a resolution to put Disney films on the "unfair list" and boycott all Disney product, will be held by the L. A. Central Labor Council. Meantime a charge of company unionism has been filed with the NLRB against the American Society of Cartoonists. Disney has petitioned the

(*Continued on page* 6)

Urge Cooperation On Jewish Appeal

David Bernstein, co-chairman of the Amusement Industry Division of the United Jewish Appeal with Barney Balaban and Major Albert Warner, has urged full cooperation in the agency's drive now under way.

Urging attendance at the luncheon meeting tomorrow at the Hotel Edison, Bernstein said the chairmen and their associates "have pledged our word to do our utmost to achieve the quota of $300,000 set by the amusement industry."

Moses A. Leavitt, secretary of the Joint Distribution Committee, will be

(*Continued on page* 6)

B'way Holiday Gross Termed 'Tremendous'

Broadway film theatre business was described as "tremendous" for Friday, Memorial Day, and with good weather prevailing also Saturday, the first runs continued to roll up strong grosses. While thousands left the city for the weekend, managers estimated that about 60 per cent of the patronage were visitors from out of town. Newark reported only fair business, with strong competition from the Ringling Bros. circus.

Bigger, Better United Artists Being Planned

That the United Artists Company was building to a bigger and better place in the industry was the confident assertion of New York spokesmen for the firm over the weekend. The owner-producers, these company representatives stated, are now discussing ways and means to augment the company's production program and it is hoped that several of the more important producers of the company will soon join U. A. The spokesmen averred that whether such producers became associated with U. A. was a matter of negotiation regarding which no predictions could be made.

From the Coast there were weekend reports that David Selznick and Frank Capra have been invited to consider ownership status in U.A.

It is reported that Maurice Silverstone, who has resigned as chief of

(*Continued on page* 6)

MPTOA Delegates To Tour Studios

LOS ANGELES, June 1.—Tours of the studios with luncheons at lots to be designated have been arranged for those attending the MPTOA-PCCITO national convention here, June 9 to 12.

An evening program termed "Night in Hollywood" also has been arranged with a studio to be designated as the locale. Studio executives and stars will have tables at the convention banquet at Earl Carroll's, which will conclude the convention. Entertainment will be provided by the studios.

Special events for ladies attending the convention also have been arranged, among which is a personality parade, sponsored by Mary Pickford, with feminine stars participating.

K-A-O REFUNDING PROGRAM READY

The Emergency

IN the existing international crisis the policy of the nation has been defined.

United and determined support of the policy as defined therefore becomes the first order of business of the nation.

Every person, however placed, and every activity, however constituted, must recognize that automatically it has become enlisted in the service of the nation. The extent of the obligation is limited only by the capacity to serve.

The industry of the motion picture, on account of leadership of vision and understanding, supported by a characteristic industry-wide anxiety to discharge the full measure of its opportunity and responsibility, finds itself now well organized and well-prepared to dedicate its facilities to the advancement of the nation's policy.

Much already has been done by the motion picture in cooperating with various government establishments and agencies; more and still more will be done.

The unique capacity of the motion picture in graphically conveying vital information to citizens both in the Services and in civil life will render an invaluable service. The inestimably great contribution of the motion picture toward the maintenance and betterment of morale for the whole of the citizenry will again be demonstrated.

The industry, in the whole of its personnel and in all of its capacities, has heard the sounding of the "alert" and will not go off watch unless and until the nation's purposes have triumphed.

—Martin Quigley

Agree on Settlement Of Admiral Trust Suit

PHILADELPHIA, June 1.—An agreement in principle has been reached for the settlement of the Admiral Theatre anti-trust suit against Warner Theatres here and major distributors.

$8,000,000 Reorganization Scheduled for Vote of Stockholders June 12

Refunding program of Keith-Albee-Orpheum Corp. and B. F. Keith Corp., originally contemplated as $9,500,000, has been reduced to $8,000,000. The plan of reorganization will be voted on by K-A-O stockholders at a special meeting on June 12. The financing will permit consolidation of the RKO subsidiary theatre companies with the parent company.

The original amount of the refunding program contemplated RKO's acquirement of all outstanding K-A-O preferred stock. Under a revision of the plan, however, 15,000 shares of the K-A-O preferred will remain outstanding and, as a result, the financing will aggregate $1,500,000 less. This was decided last week.

The plan and amendments to the K-A-O certificate of incorporation

(*Continued on page* 6)

Griefer to Manage Newark Paramount

Ben Griefer, first assistant to Robert M. Weitman, managing director of the New York Paramount, has been appointed manager of the Newark Paramount by Leonard Goldenson, Paramount theatre head.

Griefer has been with Paramount for 15 years, the last seven of which were in the capacity of assistant manager at the Broadway Paramount. Before that he was at the Rialto, Brooklyn Paramount and Criterion. Robert K. Shapiro of the theatre's staff has been named to succeed him. Eugene Pleshette replaces Shapiro as second assistant manager, DeWitt Celsor becomes treasurer of the theatre, and Joseph T. Conti assistant treasurer.

In Today's Issue

Four reviews: "In the Navy," Page 3; "Angels With Broken Wings," "A Shot in the Dark," "The House of Mystery," Page 7. Key City Grosses, Page 7. Memorial Day business report, Page 3. Interstate Circuit convention, Page 3.

Says British Call Up Projectionists

LONDON, June 1.—Despite Government assurance that no projectionists would be conscripted pending the result of a Government study of personnel needs, it is definitely stated by Arthur Moss of Associated British that projectionists are being called.

Meanwhile, in an effort to spur the Government to declare the film business an essential industry and exempt technicians from military service, the Cinematograph Exhibitors Association has indicated that unless immediate action is taken, half the British film houses will close and British production will cease.

The CEA has asked Ernest Bevin, Minister of Labor, to see a new deputation of Exhibitors, despite the Ministry's agreement to withhold the calling of projectionists pending the completion of its personnel survey.

The CEA has emphasized the role of the film theatre in entertaining the public and armed forces and in the screening of propaganda films. The exhibitors also protest the Ministry's attitude on women employes, and its contradiction of itself in suggesting on the one hand that the industry employ older men, and on the other, appealing for older men to take up work in factories.

Tubman to Be District Head of F P Canadian

TORONTO, June 1.—T. R. Tubman, manager of the Capitol, Ottawa, is slated to become district manager for Eastern Ontario under the supervision of General Manager Morris Stein of Famous Players Canadian Corp., it is understood. Tubman went to Ottawa to manage the Regent some years ago after having been in charge of theatres at Calgary and Fort William.

The Avalon Theatre, which was constructed at Hamilton, Ont., to be a unit of Hanson Theatres Corp., is to be opened early in June as a unit of Famous Players because of the absorption of the Hanson circuit by Famous Players following the resignation of N. L. Nathanson as president.

Party Planned for Carey Anniversary

HOLLYWOOD, June 1.—Film directors, 48 all told, who have worked with Harry Carey, veteran actor — from Oscar A. Lund in 1908 to Henry Hathaway in 1941 — have been invited to attend a party celebrating Carey's 33rd anniversary in films. The affair will be June 14 at the Carey ranch near Saugus, following the press review of Carey's latest film, Paramount's "Shepherd of the Hills."

Hoover in W. B. Shorts

WASHINGTON, June 1. — Owen Crump of the Warner studio is here discussing with J. Edgar Hoover, chief of the FBI, a series of shorts in which the latter will appear.

14TH WEEK ON B'WAY
JEAN GABIN in
original unexpurgated
PEPE LE MOKO
★★★★ LIB. MAG.
Dist. by MAYER-BURSTYN

Personal Mention

ART SCHMIDT, M-G-M publicity manager, left Friday for the Coast on a TWA Stratoliner.

•

SAMUEL GOLDWYN left New York Friday for Hollywood.

•

HARRY BROWNING, publicity head of M & P Theatres in Boston, is chairman of the publicity committee for the Mayor's annual Field Day, Boston charitable event, scheduled for June 27.

•

STANLEY J. MAYER, 20th Century-Fox Des Moines manager, and MRS. MAYER have returned from a two-week trip.

•

JACK BOUMA, exhibitor in Pocahontas, Ia., has returned from a fishing trip in Canada.

•

CLIFFORD NOLTE, Republic accessories manager in Des Moines, and EVA MAY GURIN were married there recently.

•

LYNN FARNOL reports he has been appointed a captain in the Army Air Corps on a special assignment and that his publicity business will be handled by staff members during his service.

JOHN M. AND HARRY S. BUXBAUM, sons of HARRY H. BUXBAUM, 20th Century-Fox New York exchange manager, have entered their 50-foot yawl, the *Tern*, in a summer race from New York to Bermuda and one from New York to Portland, Me.

•

BURT CHAMPION of the Lynn Farnol office, and LUCILLE PALMER were married on Saturday at the Little Church Around the Corner. NANCY FREEMAN, Farnol's secretary, was married the same day to FRED J. HARPER, JR., in Germantown, Pa.

•

WINNIE FRIEDMAN of the office staff of the ITOA here was married on Saturday to LEO SCHULTZ.

•

BEATRICE LINDQUIST has been named secretary to J. E. FLYNN, M-G-M district manager in Chicago, succeeding MARY MIELOCK, who resigned to be married.

•

MRS. MAUD BENJAMIN, cashier at the Des Moines Columbia exchange, has returned to work after a tonsil operation.

Canadian GN to Be Distributor of PRC

TORONTO, June 1.—Grand National Films, Ltd., Toronto, once Canadian distributor of the former Grand National product, is being reorganized as Producers Releasing Corp. of Canada with H. J. Allen of Toronto as general manager to handle P.R.C. and British pictures.

Allen has appointed Gerald Chernoff, formerly of Kingston, as manager of the Montreal branch while Leslie Allen has been named manager at Vancouver, B. C., in succession to Willard Adamson who has joined the Navy. Other branch managers include I. H. Allen, Winnipeg; H. A. Kauffman, Calgary, and H. B. Shawn, Toronto.

Republic's 4 Serials Are Set for 1941-'42

HOLLYWOOD, June 1. — Republic's program of serials for 1941-42 besides "Texas Rangers," will include "Robin Hood," starring Roy Rogers; "Fu Manchu Strikes," from Sax Rohmer stories and "Dick Tracy's Revenge," based on the comic strip of that name. H. S. Brown will be the producer and Jack English and William Whitney will direct.

Breen Makes Bow at RKO Studio Dinner

HOLLYWOOD, June 1. — Joseph I. Breen made his first official visit to the RKO studios on Thursday, when he presided at a dinner for Dr. Pedro Colman, Dean of the University of Brazil. About 50 industry and civic leaders attended.

Cameraman Is Dead

LOS ANGELES, June 1.—Albert G. Roberts, 43, cameraman, ended his life on Friday because of despondency over the recent death of his wife, Peggy Shannon. He was 43 years old.

NSS Sales Meeting Set Here June 16-19

National Screen Service and its associated companies, National Screen Accessories and Advertising Accessories, Inc., will hold a sales Convention at the Waldorf-Astoria here, June 16-19, according to George F. Dembow, vice-president in charge of sales. This one session will replace the usual regional conventions, and will be attended by all district and branch managers, salesmen and field men, as well as home office executives.

Paramount To Pay Dividends July 1

Paramount declared a dividend of 20 cents a share on its common stock, together with a quarterly dividends of $1.50 a share on the first preferred and 15 cents a share on the second preferred, at a meeting of the company's board of directors on Thursday. The dividends are payable July 1 to common stockholders of record June 11, and to preferred holders of record June 13.

S. R. Kent Confers on Company's New Films

HOLLYWOOD, June 1.—Sidney R. Kent, president of 20th Century-Fox, is expected here tomorrow by train, for product conferences in preparation for the company's national sales convention, which is to be held in New York, July 9-11.

Hays May Leave Hospital in Week

Will H. Hays, MPPDA president, will remain in St. Luke's Hospital, Chicago, another week to complete the rest and recuperation ordered by his physicians. Hays may leave the hospital at the end of the week.

Readers' Say-So

EDITOR, MOTION PICTURE DAILY:

Let me express to you the sincere appreciation of the Variety Clubs for the swell cooperation you gave us on the convention.

We lay great credit to the interest developed in the columns of your paper to make the Variety Club seventh annual convention a most successful one.

It is very easy to see that you [illegible] the feeling of Variety—and [illegible] thought that this organization is of tremendous value to show business. This was proven by the space that you gave to the affair and I want you to know that we are indeed grateful and appreciative of its value.

Sincerely,
John H. Harris,
Executive Chairman, Variety Clubs.

$850,000 Raised For Greek Relief

More than $850,000 has been collected by the Amusement Industry Division of the Greek War Relief Association, Inc., according to the latest report of Adolph Zukor, committee chairman. A total of $600,000 was announced by Zukor on April 24.

Zukor declared that more than 8,000 theatres participated in the drive, and said that of the amount collected, $600,000 has been cabled to Greece for relief purposes. He expressed his appreciation for the effort of all who aided in the drive.

Teamsters Withdraw Theatre Picket Line

Pickets have been withdrawn from New York film and legitimate houses employing orchestras under an understanding reached between Theatrical Teamsters Union Local 817 and the theatres. The teamsters have been at odds with Local 802, musicians' union, over the handling of band instruments and paraphernalia.

Weiss Joins Orsatti

Milton Weiss, for 15 years a member of the M-G-M publicity department, has resigned, effective next Friday, to join the Frank Orsatti Agency in Hollywood, to which he will report on June 16.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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Memorial Day Gross Big in Pittsburgh

PITTSBURGH, June 1.—Film business on Memorial Day was big all over town, both at first runs and neighborhood houses. Rain part of the day kept many in town who otherwise would have left the city. Another help was the influx of visitors. Business was [illegible]ribed as generally better than for [illegible] holiday last year.

Indianapolis Down Despite Race Crowds

INDIANAPOLIS, June 1. — Memorial Day business here was below normal despite the large crowds in the city for the speedway races. Many regular patrons went out of town to take advantage of the long weekend.

Cincinnati Holiday Business Is Spotty

CINCINNATI, June 1. — The large exodus for the holiday affected theatre business here, which managers reported as spotty and collectively below last year's Memorial Day. The exodus from the city was greater than last year because of the extended weekend holiday.

Birmingham Reports Business Holding Up

BIRMINGHAM, Ala., June 1.—Business better than usual is reported by theatre managers in this area. There was a slight recession in May, due to the warm weather and the fact that most schools were having examinations and commencement exercises. But the decline was hardly as severe as usual.

Suburban houses in Birmingham report that their best business comes during the Summer while children are out of school, so that June should be better than May.

Jury Disagrees in Judge Davis Trial

PHILADELPHIA, June 1.—After a seven-hour deadlock, a jury Thursday night was unable to determine the guilt or innocence of retired U. S. Circuit Judge J. Warren Davis and Morgan S. Kaufman, indicted in the William Fox conspiracy trial. U. S. District Judge Robert Nelson Pollard discharged the jury when he had been assured that no instructions of the Court could dissolve the even split. The first vote was 7-5 for acquittal.

Some of the jurors, it was indicated, "did not like" the testimony of William Fox, the Government's star witness, in seeking to prove that Davis, Kaufman and Fox conspired to obstruct justice and to defraud the United States in the litigation involving the bankruptcy of Fox's holdings.

Fox, who had pleaded guilty to the charges, was not in the court room. Theoretically, Judge Pollard could sentence him immediately. In actual practice, however, that is never done. Bond of $5,000 was continued. The failure of the jury to agree necessitates a new trial. When that will be is anybody's guess since Judge Pollard's designation from the U. S. Supreme Court to this trial ends July 1.

Hollywood Review

"In the Navy"

(Universal)

Hollywood, June 1

THIS second venture of the radio team of Bud Abbott and Lou Costello into the film field is geared for the same kind of business which greeted "Buck Privates," their first picture.

As in the earlier film, the comedians are supported by the Andrews Sisters, but added value has been given this new feature through the medium of such players as Dick Powell, Claire Dodd and Dick Foran, while Billy Lenhart and Kenneth Brown ("Butch and Buddy"), Shemp Howard and the Condos Brothers also are seen.

The picture's story does little but provide a framework upon which Abbott and Costello can hang their outrageous gags and antics. The former include such time-worn items as "That's a hull of a ship," and "Hawaii, how are you," both of which, and others of equal vintage, nonetheless had a preview night audience in gales of laughter as delivered by Costello and his partner.

The antics are of a pattern familiar to those who saw the first picture, and are just as sure-fire. Instead of the crap game there is a shell game, the cause of even greater roars of approval from the audience.

As directed by Arthur Lubin, with Alex Gottleib as associate producer, the story has Powell a crooner who joins the Navy to escape the pressure of his profession. Abbott and Costello are in the Navy, with results which may be imagined both from the nature of their previous work and the foregoing. Six songs are heard, written by Gene DePaul and Don Raye, and musical numbers are staged by Nick Castle.

Running time, 85 minutes. "G."* W. S.

"G" denotes general classification.

Settle Pizor-Segall Cases Out of Court

PHILADELPHIA, June 1.—The suit and counter suit of Lewen Pizor and Charles Segall, prominent local exhibitors, have been settled out of court, making the break in their partnership complete.

Pizor has bought the Ace, Chelten and Tioga for an undisclosed sum of money, and Segall has retained the ownership of the Apollo. It is reported that Segall will enter into negotiations with David Milgram's Affiliated Circuit to take over the operation of the Apollo.

Columbia, U. A. File Schine Stipulations

BUFFALO, June 1.—Stipulations related to the Government's interrogatories in the Schine Circuit anti-trust suit have been filed in U. S. District Court here by Columbia and United Artists. The stipulations designate which of the Government's interrogatories each company will answer.

Brandt Takes Over Seven Belle Houses

Harry Brandt has taken over seven Manhattan houses from Belle Theatres, Inc. Max A. Cohen recently relinquished his interest in those theatres to Charles Steiner and Benjamin Sherman.

The acquisition brings Brandt's total holdings to about 100 houses, it is understood. The deal was effective last Thursday.

The seven theatres are: the Harlem Grand, Star, Palestine, New Delancey, Clinton, Palace and Bijou. The first two are in uptown Manhattan and the last-named five on the lower East Side.

Steiner indicated late last week that for the time being he will manage the houses for Brandt, but he is expected to announce new plans shortly.

Astor Closes Deal

Astor Pictures has closed a deal for distribution of "The Last Mile" in the Atlanta, Charlotte, Memphis and New Orleans territories by John Mangham's Monogram Southern exchanges.

A Pledge of Loyalty

Galveston, Tex., June 1

AT the conclusion of the Interstate Circuit's convention here Thursday, the 200 showmen present took the following pledge of loyalty, offered by Karl Hoblitzelle, president of Interstate:

"I am proud and thankful that I am an American; I believe with all my heart in the democratic form of government of the United States and in the great liberties for which its flag stands; I am prepared to make whatever sacrifices my country might require of me to maintain its honor and its freedom; and I believe that by being a God-fearing man, a good citizen, and a good worker that I can best promote the unity and strength of my country; I, therefore, pledge my loyalty to the ideal of community, state and national service, to the flag of my country and all that it represents; to the Constitution, the fountainhead of my freedom and blessing; and to the United States of America, and, finally to the Interstate organization in order that it may contribute its part to our great country."

Company Officials Address Interstate Meeting on Product

GALVESTON, Tex., June 1.—Several film company executives addressed the final session of the Interstate Circuit convention here Thursday, all discussing their new product. A-Mike Vogel, chairman of the Managers' Round Table of *Motion Picture Herald,* addressed the meeting on exploitation.

[See Interstate's "Pledge of Loyalty" at bottom of this page.]

Scully, Agnew and Gold Speak

Distribution executives speaking were William A. Scully, Universal general sales manager; Neil Agnew, general sales manager of Paramount; Harry L. Gold, United Artists vice-president; Robert Mochrie, RKO; John B. Underwood, Columbia; and Herman R. Beiersdorf, 20th Century-Fox.

Stanton Griffis, chairman of Paramount's executive committee, also addressed the convention. Barrett C. Kiesling of M-G-M another speaker, said the industry was alive to its part in the defense program. More than 75 defense films are available for theatres, he said.

Robert H. Gillham, advertising and publicity director for Paramount, told about the new stars being developed in Hollywood.

Executives Eulogized

E. J. Solon, veteran controller of Interstate, eulogized the circuit's executives for their fairness in dealing with employes. Jake Elder, head of the construction department; C. C. Hoover, purchasing agent; C. E. Holmes, ventilation engineer, and Elmer Zrenner, sound engineer, spoke of the work of their departments.

The convention of more than 200 managers and executives gave a standing cheer and salute for the 48 men of the organization in the service.

A banquet at the Galvez Hotel with novel "gridiron" features wound up the four-day session Thursday night.

Sports Interests Fight Canada Tax

OTTAWA, June 1.—During representations made here by a delegation of Canadian sports interests to have the 20 per cent war tax on spectator amusements lifted from sports events, one promoter charged the film interests with lobbying.

The appeal was made to Finance Minister J. L. Ilsley. The tax originally was applied only to film theatre admissions, but recently was extended to all amusements. The sports interests indicated they will seek to have the question reopened.

Despite the appeal, there is no indication that the new order will be countermanded, and the tax will be passed on to sports spectators. The delegation represented interests in Ottawa, Montreal and Toronto. They expressed the belief that increased admissions will reduce attendance to a point where it will be unprofitable to operate. Ilsley acted on the film industry's protest of discrimination.

Tommy Gorman and Conny Smythe, representing hockey interests, expressed the opinion the new tax might cripple professional hockey.

THE SENSATIONAL SHOW WITH A THOUSAND SURPRISES!

The show event of the year – a new Disney FEATURE! And what a show! . . . A million wonders to hold you breathless – and a laugh with every one! . . . A novelty picture that becomes one of the outstanding attractions of the screen!

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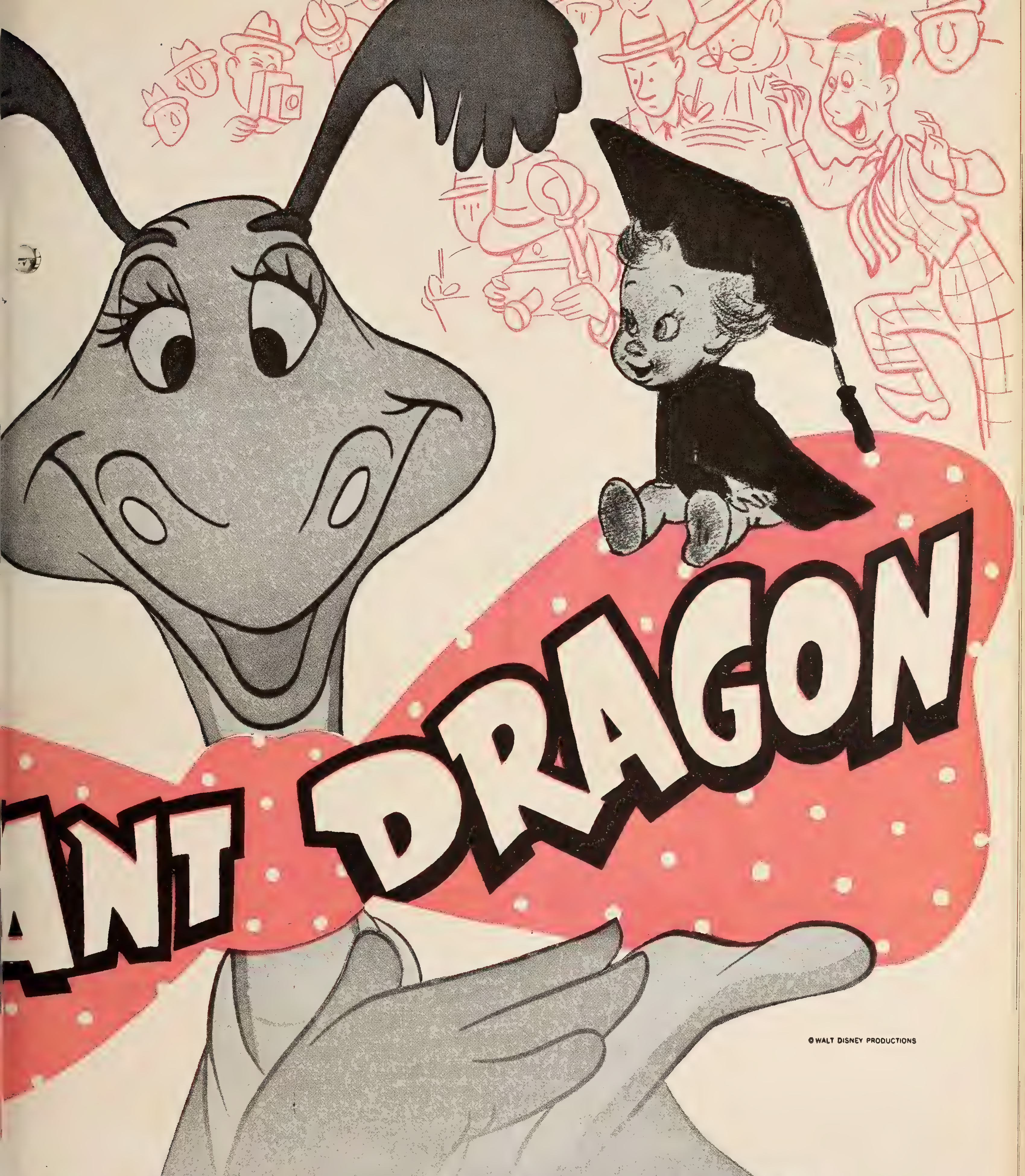
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with *Robert* **BENCHLEY**

SEQUENCES IN MULTIPLANE TECHNICOLOR

DISTRIBUTED BY RKO RADIO PICTURES, INC

Bigger, Better United Artists Being Planned

(Continued from page 1)

world-wide operations, will receive his full salary to the end of June and that the company in settling his contract will pay him 50 per cent of the amount due him, believed to aggregate about $150,000. The amount will be paid him over a period of time.

In the meantime, Arthur W. Kelly, vice-president in charge of distribution, has been named temporarily to head the overall operations of U. A. now that Maurice Silverstone has resigned. Kelly once before was temporary chieftain of the company. This occurred about five years ago, when Al Lichtman resigned. George J. Schaefer, now president of RKO, succeeded Lichtman, who is with M-G-M.

Silverstone's resignation and the fact that the company will have acquired ownership of the stock formerly owned by Samuel Goldwyn, and also the Douglas Fairbanks estate, it is reported, now will bring about a reorganization of the firm's directorate. Certain changes are stated to be in order.

James Mulvey, vice-president and eastern representative of Samuel Goldwyn, Inc., who had been proffered a top operating post in the company, is understood to have declined such an offer a fortnight ago.

That Selznick had been offered the company chairmanship is a report which has been in circulation in the trade for several weeks.

Kelly is on the Coast conferring on new product plans and sales. He is expected to leave for New York sometime this week. Silverstone is reported as having departed from Hollywood for New York yesterday.

Urge Cooperation On Jewish Appeal

(Continued from page 1)

tomorrow's guest speaker, describing how the funds to be raised are used.

Among those cooperating in the Amusement Industry Division are the following: Independent Theatre Owners—Harry Brandt, chairman; William Brandt, Leo Brecher, Max Cohen, Simon H. Fabian, Louis Frisch, Arthur L. Mayer, Louis M. Nelson, Hyman Rachmil, Walter Reade, Samuel Rinzler, Samuel Rosen, Max Rudnick, Edward N. Rugoff, Rudolph Sanders, Fred J. Schwartz, Joseph Seider, Samuel Straussberg; Legitimate Theatres—Marcus Heiman, chairman; Samuel M. Forrest, Moss Hart, George S. Kaufman; Motion Picture Accessories—B. B. Moss, chairman; Laboratories—Alan E. Freedman, chairman; Motion Picture Exchanges—Harry H. Buxbaum, chairman; Broadcasting—Bert Lebhar, chairman; Donald Flamm, Jerome A. Danzig, Henry Greenfield, Herbert I. Rosenthal; Motion Picture Operators—Joseph D. Basson; Trade Press—Sam Shain, Maurice Kann, A-Mike Vogel, Sid Silverman.

$8,000,000 Reorganization Program for K-A-O Ready

(Continued from page 1)

must receive two-thirds vote of the stockholders to become effective.

The plan is also dependent on the consummation of two bank loans which are to be made. Tenders of the K-A-O stock must be made by June 7.

Under the reorganization plan, B. F. Keith and Greater New York Vaudeville Theatres Corp., the two principal K-A-O subsidiaries, will be consolidated and all the outstanding stock of the consolidated company, to be known as B. F. Keith Corp., will be held by K-A-O. The consolidated company is to borrow $6,000,000 from Equitable Life Assurance Society of the U. S., secured by a like amount of 4¼ per cent first mortgage bonds, maturing in 1954.

Borrowing $2,000,000 Additional

In addition, K-A-O will borrow $2,000,000 from a group of banks including Bankers Trust Co., Manufacturers Trust Co. and Irving Trust Co. of New York, and the Security First National Bank of Los Angeles. The loan will be amortized by 2½ per cent serial notes maturing in each year up to 1946 and will be secured by all of the capital stock and $1,400,000 in obligations of the consolidated Keith company.

The new money will be used to retire $4,454,000 of B. F. Keith bonds now outstanding, and $580,000 of Keith Memorial bonds outstanding, each of 101 plus accrued interest, and, in addition, the new consolidated company will pay in cash to K-A-O a $919,000 obligation of Greater New York Vaudeville Theatres Corp. to that company.

Keith treasury bonds of $1,028,000 and $10,000 of Keith Memorial bonds will be surrendered for cancellation by those companies.

K-A-O will ask for tenders of its preferred stock at a price not to exceed $65 per share, for an aggregate purchase of 48,586 shares. To insure the acquisition of that number of shares, which would leave 15,000 shares of the K-A-O preferred still outstanding, RKO is undertaking the purchase of sufficient additional shares to make up the total, and will tender them to K-A-O at the specified price.

The difference in the $115.25 per share price at which RKO will accept tenders of the K-A-O preferred and the $65 per share price at which RKO will tender such shares to K-A-O, represents the average of the cost to RKO of the shares which it undertakes to procure for K-A-O, or approximately 27,500 such shares to be purchased at the higher price, together with its own 21,761 shares, for which it will receive $65 per share from K-A-O.

May Acquire 27,500 Shares

RKO itself holds 21,761 shares of K-A-O preferred and, through an option held by Atlas Corp. for the purchase of the preferred held by M. J. Meehan, will be in a position to acquire an estimated 20,000 shares still held by Meehan, and approximately 7,500 shares already acquired by Atlas from Meehan. RKO will accept tenders of the stock at $114.25 per share, representing the highest price it will have to pay to present holders of the preferred, but will, itself, tender the shares to K-A-O at $65 per share.

K-A-O will immediately pay the $15.75 per share in dividend arrears on the 15,000 shares of preferred which will remain outstanding, and in this way, and through amendments to K-A-O's certificate of incorporation, which also will be submitted to the shareholders for action at the June 12 meeting, will regain a majority on the board of directors for the holders of its common stock and will make possible the resumption of common stock dividends.

RKO owns substantially all of the K-A-O common stock. Because of provisions which entitled preferred holders to elect a majority of the board of directors of K-A-O when three consecutive dividends on the preferred had been omitted, it has not held a majority representation on the K-A-O board since 1934, when the third dividend was passed, and has not received dividends on its K-A-O common stock holdings for an even greater length of time because of the continuing arrears on preferred dividends.

With the remaining K-A-O preferred to be retired under a sinking fund provision in the reorganization plan, and with RKO holding the K-A-O common, the principal theatre subsidiaries will be completely consolidated.

Grant Writ Against Free Sunday Films

JANESVILLE, Wis., June 1.—Circuit Judge Jesse Earle has granted R. P. Williams, operator of the Sun Theatre at Brodhead, a temporary injunction restraining Mr. and Mrs. Thomas E. Smith, former operators of the Sun, from showing free films Sunday nights in Bluff View Amusement Park near Brodhead.

Orders Plagiarism Trial

Federal Judge Samuel Mandelbaum has denied an application of RKO Radio Pictures to dismiss the plagiarism suit of Jesse Solomon, and ordered the suit to trial. Complaint charges infringement of plaintiff's play, "It Goes Through Here," by the RKO picture, "Radio City Revels."

Pa. Bill Would Ease Ban on Liquor Sale

HARRISBURG, Pa., June 1.—The legal ban on granting licenses to sell liquor in buildings housing theatres and other places of amusement in Pennsylvania will be lifted in part if a measure just introduced in the House is enacted.

The bill, introduced by Assemblymen Ivan C. Watkins and John B. McGrath, and referred to the Committee on Liquor Control, is a proposed amendment to the Act of 1881 which prohibits issuing liquor licenses for use in any part of the premises of an amusement enterprise. The measure permits issuance of liquor licenses to stores or cafes in buildings containing theatres, but not to the theatres themselves.

71 Complaints In 4 Months Of Arbitration

(Continued from page 1)

cases were the first complaints of record at the Charlotte, Memphis, Salt Lake City and San Francisco [illegible] boards. The New York board continues to lead in number of cases filed, the total now being 13.

No cases are pending now in Chicago, St. Louis, New Orleans and Minneapolis, those originally filed there either having been withdrawn or decided, with the exception of one Chicago case which has left the jurisdiction of the local board on appeal to the national appeals board. Incidentally, it is the only case which has come before the latter board.

Hearings Slow So Far

The first four months of operation of the boards have not been impressive for speedy disposition of cases, according to observers, and the longer the hearings run the more costly they become. For example, hearings on the second complaint filed at the New York board are still going on, although the complaint was filed Feb. 21. The third New York case, filed Feb. 26, has not been decided yet.

One filed Feb. 25 in Boston has not been decided; one filed Feb. 15 in Cleveland is still pending; one filed Feb. 25 in Milwaukee is undecided, and one filed Feb. 24 in Washington is still pending. Eight cases filed during March in New York, Boston, Denver, Milwaukee, Oklahoma City and Pittsburgh remain undecided.

14 Complaints Withdrawn

To date, a total of 14 complaints have been withdrawn after being filed, presumably as the result of compromise settlements reached by the parties. Only eight decisions have been made by arbitrators; of these, four were in favor of distributor defendants; two in favor of exhibitor plaintiffs; one was a "split" decision and one, dismissed for lack of jurisdiction by a Chicago arbitrator, has been appealed.

Theatres Playing Disney Picketed

(Continued from page 1)

Labor Board to conduct an election. A conference date with labor leaders and Disney officials will be set this week, it is stated, by Regional Director William R. Walsh.

It is reported by union sources that Technicolor process plant executives agreed to stop handling Disney footage after being informed by union delegation that laboratory technicians, members of Local 683, would refuse to handle Disney cartoon product.

Close Cincinnati House

CINCINNATI, June 1.—The 2,150-seat RKO Shubert, which last week discontinued stage shows and pictures, and currently is roadshowing "Fantasia," will close for the Summer tomorrow. The house will reopen in the Fall with a stage show and picture policy.

Business Slump Hits Providence

PROVIDENCE, June 1.—This was an off week all around. With a stage show at the Metropolitan, "The Invisible Ghost" drew $6,000, only film bill over average.

Estimated receipts for the week ending May 21-22:

"Top Hat" (RKO) (Re-issue)
"Bringing Up Baby" (RKO) (Re-issue)
[illegible]-ALBEE—(2,239) (28c-39c-50c) 7 days. [illegible] $4,500. (Average, $6,000)
"[illegible]gfeld Girl," (M-G-M)
"Missing Ten Days" (Col.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days, 2nd week. Gross: $10,000. (Average, $11,000)
"The Great American Broadcast" (20th-Fox)
"Sleepers West" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $5,600. (Average, $7,000)
"Her First Beau" (Col.)
"Rookies on Parade" (Rep.)
STRAND — (2,200) (28c-39c-50c) 7 days. Gross: $5,000. (Average, $6,000)
"Invisible Ghost" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Larry Clinton and orchestra; Dinah Shore; Peggy Mann, Butch Stone and Charlie Carroll. Gross: $6,000. (Average, $4,700)
"Man-Made Monster" (Univ.)
"Pals of the Pecos" (Rep.)
FAY'S—(1,800) (15c-25c-35c) 7 days. Gross: $1,900. (Average, $2,800)
"Wagons Roll at Night" (W.B.)
"Flight from Destiny" (W.B.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $1,600. (Average, $3,500)
"Trial of Mary Dugan" (M-G-M) 3 days.
"Road Show" (U.A.) (3 days)
"That Night in Rio" (20th-Fox) (4 days)
"Topper Returns" (U.A.) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,600. (Average, $1,700)

St. Louis Gross Off; 'Broadcast' $6,000

ST. LOUIS, June 1.—Grosses continued at a low ebb here, with only "The Great American Broadcast" and "The Great Lie," drawing an above average $6,000 at the Missouri.

Estimated receipts for the week ending May 22:

"Affectionately Yours" (W.B.)
"They Dare Not Love" (Col.)
AMBASSADOR — (3,018) (28c-39c-44c-56c) 7 days. Gross: $6,500. (Average, $11,500).
"Wagons Roll at Night" (W.B.)
FOX—(5,038) (30c-40c-50c) 7 days. Dick Jurgens and his band on the stage. Gross: $9,500. (Average, $11,000)
"Horror Island" (Univ.)
"Man Made Monster" (Univ.)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $2,400. (Average, $2,600)
"The Great American Broadcast" (20th-Fox)
"The Great Lie" (W.B.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $6,000. (Average, $4,000)
"A Woman's Face" (M-G-M)
"Washington Melodrama" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $9,500. (Average, $13,000)

'Broadcast' Good In Newark Slump

NEWARK, June 1.—With the weather hot, business continued dull, "The Great American Broadcast," an exception, scored $16,100.

Estimated receipts for the week ending May 20-22:

"Meet John Doe" (W.B.)
"Free and Easy" (M-G-M)
WARNER'S BRANFORD—(2,840) (15c-28c-33c-44c-55c-66c-75c) 7 days, 2nd week. Gross: $11,500. (Average, $14,000)
"That Hamilton Woman" (U.A.)
"Nobody's Children" (Col.)
LOEW'S STATE — (2,589) (28c-33c-44c-55c) 7 days. Gross: $12,500. (Average, $13,500)
"Reaching for the Sun" (Para.)
"Rookies on Parade" (Rep.)
PARAMOUNT-NEWARK — (2,200) (15c-28c-33c-40c-55c-75c) 7 days. Gross: $13,400. (Average, $13,750)
"The Great American Broadcast" (20th-Fox)
"Dead Men Tell" (Mono.)
RKO PROCTOR'S—(3,389) (20c-33c-44c-55c-65c-75c) 7 days. Gross: $16,100. (Average, $14,500)

Feature Reviews

"Angels With Broken Wings"

(Republic)

Hollywood, June 1

MANY of the elements which comprise good motion picture entertainment are included in "Angels With Broken Wings": the cast and story are satisfactory, there are many laughs. In its class this picture is a worthwhile offering. A combination young and adult cast, including Binnie Barnes, Gilbert Roland, Mary Lee, Billy Gilbert, Jane Frazee, Edward Norris, Katharine Alexander and Leo Gorcey, carries the uneven story.

Marriage plans of Katharine Alexander and Sidney Blackmer are complicated by the appearance of the latter's ex-wife, Binnie Barnes. Three daughters and three young friends attempt to straighten the matter out and make an effort to persuade the ex-wife that she is crazy. Finally and with more success a friend, Edward Norris, is persuaded to pretend that he is a South American millionaire and draw the attention of the ex-wife. The matter is further involved and humor heightened by the appearance of the rich man from Argentine, played by Gilbert Roland.

Most of the laughs are supplied by Gilbert Roland, Billy Gilbert, who runs a music store, and Leo Gorcey. A few songs and musical numbers are also included. The cast names give this picture more exploitation value than many of its class. Albert J. Cohen was associate producer, and Bernard Vorhaus, director.

Running time, 72 minutes. "G."*

"A Shot in the Dark"

(Warners)

HERE is an unlikely murder yarn, with an abundance of comedy, involving a friendly feud between reporter and detective, added to the serious aspects of the investigation following the crime. William Lundigan plays the reporter; Regis Toomey the detective, and Nan Wynn the girl both are fond of.

In the early sequences, Ricardo Cortez, as a nightclub owner, is about to retire and marry. The potential buyer of the club is murdered. There are a number of suspects, one of whom also is killed. The murderer is finally identified as Cortez' fiancee. In trying to escape, she and an associate are killed in a flaming auto.

The film generally holds interest. A few song numbers by Miss Wynn contribute to the picture.

Running time, 57 minutes. "G."*

"The House of Mystery"

(Monogram)

THIS master-detective murder mystery comes from England. Immediately following the listing of credits it identifies the characters involved and depicts the clues with which the super sleuth, Keneth Kent, has to work.

The story then begins with the murder of a rich matron who at the time is engrossed in a seance. Her companion, Judy Kelly, disappears, and is suspected of the crime. Kent is thereupon called in. Murdered subsequently is a key witness to the crime. Kent finally breaks the case and melodramatically rescues Miss Kelly, who is about to become the third murder victim.

Kent offers an interesting characterization of the subtle, egotistical detective and his support is sufficiently strong but the film generally fails to achieve suspense and crisp excitement and at best is only moderately interesting. The supporting players are virtually unknown here. Photography is adequate.

Running time, 62 minutes. "G."*

**"G" denotes general classification.*

'Serenade' $11,000 Is Best in Denver

DENVER, June 1.—Poor weather cut into box-office receipts. "Penny Serenade" at the Denver was good for $11,000 and at the Paramount, "That Uncertain Feeling" on a dual drew $4,200.

Estimated receipts for the week ending May 20-23:

"The Great Lie" (W.B.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,200. (Average, $2,000)
"Ziegfeld Girl" (M-G-M)
BROADWAY — (1,040) (40c-50c) 7 days, 3rd week. Gross: $2,500. (Average, $2,500)
"I Wanted Wings" (Para.)
"Reaching for the Sun" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 3rd week. Gross: $5,000. (Average, $6,400)
"Penny Serenade" (Col.)
"Scotland Yard" (20th-Fox)
DENVER—(2,600) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $8,700)
"A Woman's Face" (M-G-M)
"Report at Leisure" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $7,000. (Average, $8,700)
"That Uncertain Feeling" (U.A.)
'Rookies on Parade" (Rep.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,200. (Average, $3,800)
"Lady From Cheyenne" (Univ.)
"Mutiny in the Arctic" (Univ.)
RIALTO — (900) (25c-40c) 7 days, 3rd week. Gross: $2,300. (Average, $2,100)

Grosses Slow in Cincinnati Slump

CINCINNATI, June 1.—All grosses were short here in a week in which the temperature approximated mid-Summer high. The Cincinnati Reds, playing the local ball park, also hurt theatre attendance.

Estimated receipts for the week ending May 21-24:

"The Great American Broadcast" (20th-Fox)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $12,000)
"That Hamilton Woman" (U. A.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $10,400. (Average, $10,000)
"They Dare Not Love" (Col.)
RKO SHUBERT—(2,100) (33c-44c-60c) 7 days. Stage: Abe Lyman's orchestra. Gross: $6,500. (Average, $10,000)
"Ziegfeld Girl" (M-G-M)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $4,300. (Average, $5,500)
"The Flame of New Orleans" (Univ.)
RKO GRAND—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $5,000)
"Penny Serenade" (Col.)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 2nd week. Gross: $2,500. (Average, $4,500)
"Invisible Ghost" (Mono.)
"The Great Train Robbery" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,000. (Average, $1,200)
"A Man Betrayed" (Rep.)
"Ride on Vaquero" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"Topper Returns" (U. A.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $4,300. (Average, $5,000)

'Doe' Milwaukee's Winner at $9,500

MILWAUKEE, June 1.—Best grosser in a mild week was "Meet John Doe" and "Thieves Fall Out" with $9,500 at the Warner in nine days. "Blondie Goes Latin" on the screen with "Grandfather's Follies" on the stage, drew $7,600 at the Riverside.

Estimated receipts for the week ending May 20-22:

"The Great Dictator" (U. A.)
"Sleepers West" (20th-Fox)
PALACE—(2,400) (33c-44c-55c) 5 days, 2nd week. Gross: $3,000. (Average, $4,000)
"Blondie Goes Latin" (Col.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: "Grandfather's Follies." Gross: $7,600. (Average, $6,500)
"Ziegfeld Girl" (M-G-M)
"Penny Serenade" (Col.)
STRAND—(1,400) (33c-44c-55c) 7 days. Gross: $1,900. (Average, $1,500)
"Meet John Doe" (W. B.)
"Thieves Fall Out" (W. B.)
WARNER—(2,400) (30c-40c-55c) 9 days. Gross: $9,500. (Average, $4,500)
"A Woman's Face" (M-G-M)
"Cowboy and the Blonde" (20th-Fox)
WISCONSIN—(3,200) (33c-44c-55c) 7 days. Gross: $7,000. (Average, $5,500)

'Broadcast' $11,000 In Baltimore's Heat

BALTIMORE, June 1.—Grosses here were generally strong, despite unseasonably warm weather. "The Great American Broadcast" scored $11,000 at the New, and "Meet John Doe" took $17,500 at the Stanley.

Estimated receipts for the week ending May 22:

"Ziegfeld Girl" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days, 2nd week. Gross: $10,500. (Average, $10,000)
"Model Wife" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $10,000. (Average, $9,000)
"The Great American Broadcast" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days. Gross: $11,000. (Average, $7,000)
"She Knew All the Answers" (Col.)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Milt Britton's Band, also Isabel Jewell, in person. Gross: $14,000. (Average, $14,000)
"Meet John Doe" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $17,500. (Average, $14,000)

Canadian Royalty Rate on Radio Set By Appeals Board

OTTAWA, June 1.—Royalty rates of eight cents per licensed radio set, payable by Canadian radio stations to the Canadian Performing Rights Society, and one cent per set payable to Broadcast Music of Canada, Inc., have been set by the Canadian Copyright Appeals Board.

The Canadian Performing Rights Society is an affiliate of Ascap in the United States, and Broadcast Music of Canada, Inc., is affiliated with BMI in the U. S.

The ruling arises from a hearing which ended last February and will be published in the next issue of the *Canada Gazette*.

The 15-year-old society had sought an increase in the rate from eight to 14 cents and Broadcast Music asked permission to enter a field which hitherto had been the society's exclusive territory.

Estimated income under the eight and one-cent rates is $107,612 for the society, and $13,451 for Broadcast Music. Radio stations throughout Canada which use music "controlled" by the two bodies contribute to the total in proportion to their strength and the number of licensed radio sets in their areas.

WINS, Skouras Set Announcement Deal

In an unusual radio-theatre tieup, WINS last week started broadcasting information on the feature film attractions current in the entire Skouras circuit of 65 theatres in this area. The announcements of the attractions are made three times daily, at 9:10 A.M., 1:40 P.M. and 6:20 P.M. Mondays through Saturdays.

In return, each of the Skouras houses is showing two 45-second trailers supplied by the station. The first trailer tells patrons that they can learn the theatre's program by listening to the station while the other calls attention to the WINS position on the dial. Copy for the second trailer will be changed monthly.

For the broadcast, theatres are grouped into neighborhoods so that the listener can get the programs of all theatres in his area at once. The deal is for one year, according to WINS officials.

Morris Noncommittal On NBC Deal Report

William Morris, Jr., of the William Morris Agency, over the weekend refused to affirm or deny reports that he would purchase from NBC the network's talent agency. NBC was also noncommittal.

At WOR, it was pointed out that Mutual operates no talent agency and that no change was contemplated with reference to the operation of the WOR Artists Bureau.

York Merger Approved

Stockholders of the York Ice Machinery Corp., manufacturers of air conditioning equipment, have voted to adopt an agreement of merger with York Corp.

Off the Antenna

ANOTHER refugee children's program will be launched Saturday by Bob Emery, as the second half to the "Rainbow House" program on Mutual. Called "Rainbow Cross the Sea," the program will feature children of all nationalities speaking to their home countries. This part, from 10:30-11 A.M., will be short-waved to England through WRUL, Boston. Emery has resigned from the "Friendship Bridge" program which he has been conducting on WMCA to devote his full time to the new program.

• • •

Purely Personal: *Robert L. Shayon has been promoted to senior producer at WOR. . . . Lorin Maazel, 11-year-old musical prodigy, will conduct the NBC Symphony Orchestra July 5. . . .Seymour N. Siegel, WNYC program director, a second lieutenant in the Naval Reserve, has been called for active duty on June 16. . . . Robert Bentley has been appointed to the newly created post of supervisor of patriotic activities at WCPO, Cincinnati. . . . Dave Bennett, head of the Chicago advertising agency bearing his name, will dissolve his agency to become local sales manager of WJJD, Chicago. Herbert P. Sherman will continue as national sales manager. . . . Louis R. Wasey, president of Erwin, Wasey & Co., was awarded the degree of Doctor of Humane Letters by his alma mater, Hobart College, last week. . . . Roland Hamel of the WHN publicity department left over the weekend for a belated honeymoon at Cape Cod.*

• • •

Guest artist on the "26 by Corwin" series over CBS yesterday was Norman Corwin himself, playing the role of a prisoner in a German concentration camp. It was the first time Corwin appeared in any of his own plays.

• • •

Interest among Mexicans in learning the English language is increasing, according to a report from Mexico City. Alexis Rovzar, an American newspaperman, is doing a nightly 15-minute news commentary in English over XEFO. It is stated that the introduction of English broadcasting there has been well received.

• • •

Program News: *Bristol-Myers has renewed "Mr. District Attorney" over 67 NBC-Red stations for 52 weeks effective July 2. The program is heard Wednesdays 9:30-10 P.M. . . . Don Ameche and Connie Boswell will take over "Kraft Music Hall" when Bing Crosby and Bob Burns start their Summer vacation Aug. 10. . . . Ted Steele will start a new show, "Boy Meets Band," over NBC-Blue June 7. The program will be heard Saturdays* 8-8:30 *P.M.*

Theatre Changes

Named Warner Manager

SEATTLE, June 1.—Russell Brown formerly associated with Hamrick-Evergreen Theatres, Inc., in Spokane, has been appointed manager of Warner theatres in Hoquiam and Aberdeen, Wash. He succeeds O. T. Taylor, resigned.

Close House for Summer

ATLANTA, June 1.—The Roxy Theatre here has closed for the Summer months. Manager Jack Hodges has been transferred to the home office of Lucas & Jenkins to form a publicity and advertising department to serve the entire circuit.

Close Helena House

HELENA, Mont., June 1.—The Antlers Theatre in Helena, experimentally reopened for regular patronage a few weeks ago by Manager Jack Edwards of the Marlow Theatre, has closed. It will be maintained for community meetings and other special occasions.

Manages Illinois Theatre

ST. CHARLES, Ill., June 1.—Ralph W. Bryant has been named to manage the Arcadia here, an Anderson Circuit house, succeeding Glen Lekander, who has been shifted to the Naper, Naperville, Ill.

Reopen Indiana Theatre

MILLTOWN, Ind., June 1.—The State, badly damaged by fire Feb. 5, has reopened after redecorating and installation of new sound equipment and screen. Lucien Condra is manager.

Manages Cincinnati Theatre

CINCINNATI, June 1.—James McDonald has resigned as short feature booker at the RKO exchange here to manage the Avon, local neighborhood house, a unit of the Central States Theatres, Columbus, O. He succeeds Melton Luftnauer, who has resigned because of ill health.

Close 2 in Miami Beach

MIAMI BEACH, June 1.—Two Winter season houses here have closed until next Fall, the Surf, Wometco Circuit theatre, and the Sheridan, Paramount Enterprises unit. The Surf's films will go to the Lincoln and the Beach will take the Sheridan pictures.

Outdoor Theatres Open

PHILADELPHIA, June 1.—Two outdoor drive-in theatres have opened in eastern Pennsylvania, Shankweiler's near Allentown and the Shimerville near Emaus.

Detroit Drive-In Houses Open

DETROIT, June 1.—Eastside and Westside Drive-In Theatres in Detroit have opened their Summer season.

Reopen Conn. Drive-In

MILFORD, June 1.—The 500-car Milford Drive-In, recently taken over by E. M. Loew, has been reopened.

Building in Dinuba, Cal.

DINUBA, Cal., June 1.—Edward Levy is building a new theatre here, to be opened in mid-Summer.

Senate FCC Probe Hearing on Today

WASHINGTON, June 1.—Arguments presented to the Senate Interstate Commerce Committee tomorrow will determine whether the long-threatened investigation of the policies and practices of the FCC finally will be undertaken.

Called to consider a resolution introduced by Senator Wallace H. White of Maine for an investi[illegible] of the commission's April 3 chain broadcasting regulations, the hearing tomorrow is expected to take on the nature of a preliminary exploration of the FCC's troubles with the industry.

Chairman James L. Fly is scheduled to appear before the committee. He will oppose the projected investigation, as it is expected will representatives of Mutual. CBS and NBC are expected to be represented, urging that the inquiry be undertaken. Commissioners T. A. M. Craven and Norman S. Case, who refused to join the majority in issuing the contested regulations, also may be heard.

There were indications tonight that some members of the commission would prefer to adjust their difficulties with the networks by negotiation rather than by Congressional investigation and possibly court action, but there was no evidence that this desire would sway the Senate committee.

CBS Sets Program On Defense Workers

As an aid to defense preparations, CBS will devote a new program to individual defense workers who make outstanding contributions. The show will start June 8 and will be heard Sundays 2-2:30 P.M. until July 3 when it will move into the 8-8:30 Thursday night spot. The program, "Proudly We Hail," calls for two guest stars weekly. One will be a news analyst or columnist who will tell the story of the man to be honored, and the other will be a radio or stage personality.

Among those who have accepted the invitation of W. B. Lewis, CBS vice-president in charge of broadcasts, to appear on the program are H. V. Kaltenborn, Quincy Howe, Linton Wells, Albert Warner, Eric Sevareid, Gabriel Heatter, Gertrude Lawrence, Cornelia Otis Skinner, Jane Froman, Ted Husing, Major Edward Bowes, Raymond Massey, Hendrik Willem van Loon, Lily Pons, Clifton Fadiman, Drew Pearson, Robert S. Allen, Bea Wain, Mary Margaret McBride and Walter O'Keefe. Brewster Morgan will produce.

New License Fee Is Voted by Wis. Town

STEVENS POINT, Wis., June 1.—The Common Council has repealed its 1917 ordinance licensing and regulating theatres and has adopted a new ordinance which provides for an annual $100 fee for each opera house, vaudeville theatre and film theatre seating over 500. For houses having less than 500 seats, the annual license fee would be 20 cents per seat.

The new measure provides for a daily $1 fee for free outdoor film shows and also assesses a hall charge for shows on the basis of 20 cents per seat or 18 inches of space provided for seating where benches are used.

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Browne, Bioff Out of IATSE Negotiations

Ignored by Ten Unions; Pat Casey to Coast

Hollywood, June 2.—George E. Browne, IATSE president, and William Bioff, his personal assistant in Hollywood, definitely will not figure in the expected negotiations on wage scales and working conditions demanded by 10 IATSE studio locals, it appeared today following a meeting of the unions' business representatives.

Meantime, Pat Casey, producers' labor representative, has been called to the Coast to confer with IATSE union heads on their move for separate negotiations, which was initiated last week.

Business agents with two other representatives of the locals con-

(*Continued on page 4*)

Europe Still Partial Market, Says Kastner

Several European countries still are receiving American films and paying for them in American dollars, Lacy Kastner, United Artists' European sales manager, said yesterday following his arrival from Lisbon on the *Excalibur* for home office conferences.

Kastner named the following countries as still productive of some revenue: Turkey, Rumania, unoccupied France, Bulgaria, Portugal, Palestine, Egypt, Iraq, Sweden, Switzerland and, to a slight degree, Finland.

United Artists is represented by ocal licensees in a number of German-occupied countries, where picures are still being sold and money

(*Continued on page 4*)

Hold Jewish Appeal Lunch Here Today

David Bernstein, co-chairman with Barney Balaban and Major Albert Warner, will preside today at the uncheon of the Amusement Industry Division of the United Jewish Appeal at the Hotel Edison.

Moses A. Leavitt, secretary of the oint Distribution Committee, one of he organizations aided by the United ewish Appeal, will be the guest peaker at the luncheon. He will decribe the manner in which the funds o be raised will be utilized.

U. S. Feelers Out On Disney Strike

Hollywood, June 2. — The U. S. Conciliation Service appeared today to be attempting to end the strike of Walt Disney cartoon workers, with unofficial feelers to Screen Cartoonists Local 852 for a meeting with Disney representatives. Union officials are reported ready to confer, but insist on immediate recognition as the bargaining agency.

Approached by cartoonists' local representatives who requested withdrawal of Disney films from Fox West Coast houses, executives told the delegation that the circuit would have to live up to its exhibition contracts.

Grosses Soar On Broadway Over Holiday

Broadway's first-run grosses skyrocketed over the weekend, aided by a tremendous influx of visitors to the big city over the long three-day Memorial Day holiday weekend.

Grosses up and down the line were sufficiently strong to warrant decisions yesterday that three Broadway pictures, now in the second week, all will be held a third week, a most unusual situation. The three houses which will hold their attractions a third week are the Music Hall, the Paramount and the Roxy.

The flow of visitors into the city over the weekend more than counter-

(*Continued on page 4*)

New Silverstone-Pickford Company To Be Ready Soon

Organization of the new United Artists producing company to be headed by Maurice Silverstone and Mary Pickford is expected to be completed between June 15 and June 30 for new season's operations, Miss Pickford stated yesterday on her arrival from the Coast.

She said that she will be financially interested in the new company but will act only in an advisory capacity in administrative affairs. While negotiations with several outstanding producers are in progress for association with the new company, Miss Pickford said that it would be premature to identify them at this stage of the negotiations. She indicated that the new company will finance producers who become aligned with it.

Arthur W. Kelly, vice-president and acting head of United Artists, will continue in charge of distribution after he has been relieved of company ad-

(*Continued on page 4*)

Pascal Arranges to Produce in Montreal

Gabriel Pascal has completed arrangements to produce at the Associated Screen News studio in Montreal, he stated here yesterday.

Pascal said he would leave for London at the end of the month to confer with George Bernard Shaw on which of the latter's plays he will next produce for the screen, and would return here about the end of July. Pascal's first Canadian production, however, will not be a Shaw play, but will be a Canadian story, as yet untitled. Work on it is scheduled to begin early in August, Pascal said,

(*Continued on page 4*)

O'Connor and Meyers Pacts To 'U' Board

Action Scheduled Today On Long Contracts

Long term contracts for J. J. O'Connor and Fred Meyers are scheduled to be acted upon today by the Universal board of directors. Announcement that they are to become associated with Universal is expected to follow the meeting.

John J. O'Connor

O'Connor, who resigned as vice-president and general manager of RKO Theatres a month ago, it is reported, is slated to be assigned to the post of executive assistant to Nate J. Blumberg, Universal president, with headquarters at the home office.

Meyers, who resigned as chief film

(*Continued on page 4*)

Ky. Sues Schine on Chance Games Use

Lexington, Ky., June 2.—Attorney General Hubert Meredith of Kentucky has filed suit in Circuit Court here against the Schine Lexington Co., operating a group of houses in the state, seeking $100,000 penalty and forfeiture of the Kentucky franchise on charges it has violated the state constitution by operating Bank Night.

Meredith described the action as an

(*Continued on page 4*)

Harris to Hollywood On Variety Club Plan

Pittsburgh, June 2. — John H. Harris, national president of the Variety Clubs of America, will leave here Thursday for the Coast, where he will discuss plans for organizing a Hollywood Club with Walter Wanger, Duke Clark, John LeRoy Johnston and other executives. While in California, Harris also will attend the MPTOA convention, and complete arrangements for sending the new edition of "Icecapades" to Atlantic City for its opening July 24 in the Convention Hall.

Department of Justice Intervenes in Industry's First Arbitration Appeal

The Department of Justice, with the permission of the national appeals board of the industry's arbitration system, has intervened in the appeal of the Ken Theatre, Chicago, from an arbitrator's decision dismissing the theatre's clearance and run complaint for lack of jurisdiction. This is the only appeal pending.

Briefs filed by the Government as intervenor contend that an arbitrator has the right to eliminate all clearance between competing theatres, all other factors specified by the decree being equal, when evidence tends to show the existence of unreasonable clearance.

The Chicago arbitrator held last March that, in asking for the elimination of clearance held by a competing theatre of the Schoenstadt Circuit over the Ken, the plaintiff was asking for the specific run held by the Schoenstadt Theatre, rather than an adjustment of clearance, and that specific runs cannot be granted under the decree until next Sept. 1.

RKO Fordham to Mark 20th Year

The RKO Fordham in the Bronx will celebrate its 20th anniversary on Thursday. Special ceremonies are planned, and on Thursday evening city officials, headed by Bronx Borough President James J. Lyons and stars of stage and screen, will appear at the theatre.

Griefer Honored at Testimonial Dinner

Ben Griefer, first assistant to Robert M. Weitman, managing director of the New York Paramount, who has been named manager of the Newark Paramount, was honored at a testimonial dinner last night at the Hotel Astor. He was presented a desk set.

Approximately 50 were in attendance. They included: Weitman, Robert Shapiro, who succeeds Griefer; Leon Netter, Montague Gowthorpe, Arthur Israel, Maurice Bergman, Sam Shain, Harry Rubin, Paul Bracco, Jack McInerney, Joseph Walsh, Harry Kalcheim, Jack Rothenback, Harry Michaels, James Taylor, Terry Josefovitz, Edward McGowan, Gene Pleshette, Paul Radin, Gene Levy, Don Baker, Adam Adams, Ann Rubin, James Zabin, Armando, Moe Kallis, Jack Oswald, Eugene Newman, Rudy Montgelas, Nat Strom.

M. P. Producers Plan For MPTOA Meeting

HOLLYWOOD, June 2.—The Association of Motion Picture Producers at its monthly meeting today made final plans to entertain delegates to the MPTOA and PCCITO conventions here June 9-12. Plans include studio visits, an industry dinner and participation in the convention banquet.

Cooperation was voted the new Treasury Department publicity program for the sale of defense bonds, as presented by Howard Dietz. Proposals of the Screen Writers' Guild negotiating committee were presented to individual producers for their consideration and study.

Hear Defense Pleas In Pickwick Action

NEW HAVEN, June 2.—Motions of the eight major film companies and of Skouras Theatres and Fox Metropolitan Playhouses, defendants in the $5,000,000 anti-trust suit of the Pickwick, Greenwich, Conn., were heard in the U. S. District Court here today.

The distributing companies asked for more specific information and extension of time in which to answer the complaints, while the out-of-state defendants asked that the complaint be dismissed with reference to them, because of lack of jurisdiction of the Connecticut District of the U. S. Court and because of alleged improper service of the summons.

Gillham at Studio

Robert M. Gillham, Paramount advertising and publicity head, arrived yesterday for conferences at the studio on campaigns for forthcoming product and the first blocks-of-five for the new season.

Personal Mention

WATTERSON ROTHACKER, Hollywood vice-president of Quigley Publications, arrived here yesterday from the Coast.

•

MAURICE SILVERSTONE arrived from the Coast yesterday.

•

MATTHEW J. FOX, Universal vice-president, has arrived from Hollywood.

•

ARTHUR W. KELLY, acting administrative head of United Artists, is expected from the Coast tomorrow or Thursday.

•

TERRY TURNER, head of RKO's field exploitation staff, returned yesterday from the Coast.

•

SI BELL has taken his new post as Columbia Philadelphia salesman, replacing Mort Goldstein, who has been drafted.

•

GEORGE SEACH, San Francisco RKO salesman, was given a surprise party last week, marking his 25th year with the exchange.

•

TORY ROBERTS, Columbia San Francisco salesman, broke an ankle when he fell crossing the street.

•

BEN GREENBERG, manager of the Stadium, Woonsocket, R. I., is vacationing. On his return KENNETH DELONG, assistant manager, will take a two-week vacation.

•

MR. and MRS. DON GRAN, operators of the Star Theatre, Sioux Rapids, Ia., have returned from a 20-day auto trip to the West.

•

GERTRUDE LANG, secretary to WILLIAM ONIE, chief barker of the Cincinnati Variety Club, is recovering at Christ Hospital there from a tonsil operation.

•

DANIEL HOULIHAN, 20th Century-Fox booker in Albany, spent the weekend here.

GEORGE J. SCHAEFER, RKO president, plans to return to the Coast tomorrow. JOSEPH I. BREEN, RKO studio head, has postponed his planned visit here and now is not expected in New York until the company's sales convention, June 16.

•

PHIL REISMAN, RKO vice-president in charge of foreign activities, has returned from South America.

•

A-MIKE VOGEL has returned from Galveston, Tex.

•

WILLARD R. SEALE, manager of the Orpheum Theatre in Spokane, is recovering at St. Luke's Hospital there from a major operation.

•

ROBERT HARRISON of the advertising staff of Quigley Publications is ill with scarlet fever.

•

NATE SODIKMAN, Monogram Albany branch manager, is conferring here this week.

•

ANNA CANELLI, Columbia cashier in New Haven, is recovering from injuries sustained when hit by a car.

•

PETER DEFAZIO, Warner salesman in New Haven, and MRS. DEFAZIO, spent the weekend in Atlantic City.

•

ALLEN LEWIS, manager of the Dante Theatre, Philadelphia, is the father of a daughter, born at Doctor's Hospital there last week.

•

WILLIAM Z. PORTER, Monogram office manager in Philadelphia, and MRS. PORTER marked their 15th wedding anniversary on Memorial Day.

•

WALTER POTOMOKIN, manager of the Gerard in Philadelphia, was given a bachelor party last week. He will be married Sunday to BOBBIE KALLEN.

•

SI YOUNG, Warner exploitation representative in Spokane, has returned from Hollywood.

ITOA Studies Plans To Make Own Power

The New York ITOA has appointed a committee of three to study the feasibility of installing Diesel plants in member theatres for the generation of electric power in view of a possible shortage and higher cost of power because of defense neeeds. The committee includes David Weinstock, chairman; J. Joshua Goldberg and Samuel Rhonheimer.

Experts who some time ago investigated possible use of Diesel electric plants in theatres found that while they would be entirely feasible, their cost for the average theatre, it was feared, may be prohibitive.

Suit on Code Seal Postponed in L. A.

LOS ANGELES, June 2.—Arguments of the defendants on a motion for dismissal and summary judgment in the Federal Court suit here of Criterion Pictures Corp. against the MPPDA and major companies over the refusal of a Production Code seal to "Damaged Goods" was continued by stipulation today to July 7.

Pa. Senate Passes Film Referenda Bill

HARRISBURG, Pa., June 2.—Referenda on Sunday films may be permitted in Pennsylvania every four years instead of every five, as heretofore, as a result of passage of the O'Brien bill in the State Senate. Other changes in the law, if finally passed intact by both houses, will require petitions from 20 per cent of the voters, and will enforce referenda to be held at November elections instead of at the primaries.

During last Fall's elections, a number of communities voted to permit Sunday films after having banned them in 1935, but others forbade the pictures again. The city, and a number of suburbs, have had legal Sunday films for the past five years.

Plan Charity Show

INDIANAPOLIS, June 2.—The local Variety Club has engaged the Opera Under the Stars company for performances at the Indiana State Fair grounds here the nights of June 25 and 26. Kenneth T. Collins, chief barker, announced. Proceeds will be used to send underprivileged boys to Summer camps.

Obituaries

Mullin's Mother Dies

JERSEY CITY, June 2.—Funeral services will be held Wednesday for Mrs. James P. Mullin, mother of Martin Mullin of M & P Theatres, New England circuit. Mrs. Mullin died at her home here Sunday at the age of 74. She is survived also by her husband, three daughters, Gertrude, Margaret and Katherine, and three si[illegible]

Rites for N. J. Veteran Exhibitor

CAPE MAY COURT HOUSE, N. J., June 2.—Funeral services were held Saturday for Dr. Willets Corson, 62, pioneer exhibitor here, who died at his home here. During the silent film days, he operated the local Grand, then known as the Spectatorium. His widow, a son and a daughter survive.

Findley Rites in Ottawa

OTTAWA, June 2.—Thomas Bruce Findley, a Broadway character actor, who died Thursday at his home in Wychwood, Que., was buried Friday at Beechwood Cemetery. Findley, who was 67, played in the Broadway productions, "Of Mice and Men" and "First Lady."

Services for Farrell Today

PROVIDENCE, June 2.—Funeral services will be held here tomorrow for Richard E. Farrell, 40, former theatre publicist and manager, and more recently a member of the *Evening Bulletin* staff. Farrell died Saturday after a long illness. He is survived by his widow.

Billboard Pioneer Dies

CINCINNATI, June 2.—Philip Morton, 74, pioneer in bilboard advertising in this area, died at his home Friday after a long illness. He is survived by his widow.

Morton Downey New President of AGVA

Morton Downey was elected president of the American Guild of Variety Artists yesterday by the national board, it was announced. Henry Dunn was reelected treasurer and Gerald Griffin was elected executive secretary. Griffin has been administrative chairman since February. The national board was enlarged by the inclusion of additional members.

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DAILY
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"THESE DREAMS ..
EVERY NIGHT...
WHY?..WHY?.."

MILLIONS of women like her... afraid, yet wanting to know! The famed author of "The Citadel" tells, in terms of modern psychiatry, of the flaming triumph for which every man fights, every woman yearns!

"shining victory"

...what every woman needs!

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DONALD CRISP • BARBARA O'NEIL
A. J. CRONIN
Picture
Max Steiner • A WARNER

"Yes, I know about your dreams!"
"You think men are attracted to you!"
"You're a restless sleeper, aren't you?"
"You should marry!"

...what every woman needs!

Bringing to the screen for the first time the mysteries of psychiatry...the famed author of "The Citadel" lays bare the hidden things in a woman's mind that she dare not admit even to herself!

"shining victory"

JAMES STEPHENSON
GERALDINE FITZGERALD
DONALD CRISP
BARBARA O'NEIL
Directed by IRVING RAPPER
Screen Play by Howard Koch and Anne Froelick • Music by Max Steiner
From a Play by A. J. CRONIN
A WARNER BROS.–First Nat'l Picture

ALL THE PSYCHIATRIST TOLD HER WAS... "GET MARRIED!"

"shining victory"

...what every woman needs!

...by A. J. Cronin author of "The Citadel"

JAMES STEPHENSON
Sensation of 'The Letter'
GERALDINE FITZGERALD
DONALD CRISP
BARBARA O'NEIL
From a Play by A. J. CRONIN
Directed by IRVING RAPPER
Screen Play by Howard Koch and Anne Froelick
Music by Max Steiner • A WARNER BROS.–First National Picture

N. Y. STRAND'S BIGGEST WEEKEND SINCE EASTER!

These were the ads that did it!
Right out of the press-book—to you
—from WARNERS!

Browne, Bioff Out of IATSE Negotiations

(*Continued from page* 1)

cerned consolidated their lines today at a meeting in the office of Harold V. Smith, business representative of Sound Technicians Local 695 and chairman of the IATSE business agents' committee.

Some of the business agents feel that the locals' members have lost confidence in the International leadership of the Alliance in view of recent indictments in New York on extortion charges of Browne and Bioff and the Los Angeles indictment of Bioff on income tax evasion charges, involving $100,000 allegedly received from Joseph M. Schenck at the time he was president of the Association of M. P. Producers.

Browne in N. Y. June 20

Chicago, June 2.—George E. Browne, IATSE presidentfi waived examination on formal charges of extortion before U.S. Commissioner Walker today and posted a new $20,000 bond for appearance June 20 in U. S. District Court in New York where he was indicted with Willie Bioff, his personal Hollywood representative.

Rumblings of "rebellion" against the Browne-Bioff regime are also heard in Hollywood.

Embarking on a policy of refusing public statements on future policy, the IATSE committee is still awaiting word from the producers on its request for immediate conferences on revisions of wages and working conditions, no meeting on which has been held since the Fall of 1939.

Studio Stand Not Indicated

It has not been indicated whether the studios will consent to the IA locals' demands for separate negotiations, particularly in view of the fact that the decisions of the Federal Wage and Hour board have not yet been received on the classification and reclassification of studio workers' groups.

Casey had been awaiting the board's determinations before starting negotiations with the heads of the studio internationals on a new basic agreement. The IA withdrew from the basic agreement several years ago when the studio units were granted local autonomy.

Overtime Suit Discussed

Also discussed at today's meeting was whether civil litigation over overtime assertedly due under the Wages and Hours Act should be filed, rumors having reached Hollywood that the Wages and Hours division report on the film industry would not mention the past status of the industry's observance of the statutory work week limitations.

Smith for some time has been seeking claimed overtime pay for members of his local, who have been working 54 hours a week since the law was passed. IATSE action in this matter is expected to influence the other unions. Some $3,000,000 in pay arrears is said by labor sources to be at stake.

3 Phila. Theatres Now Open All Night

Philadelphia, June 2.—With the reopening of Warners' Family with a 24-hour policy of operation, it makes the third house in the center of the city open all night. The circuit's Savoy, which instituted the all-night policy when fire closed the Family, continues 24-hours a day in addition to William Goldman's News.

O'Connor and Meyers Pacts To 'U' Board

(*Continued from page* 1)

buyer for RKO Theatres at the same time O'Connor left that company, is reported to be slated for an appointment in the sales department by W. A. Scully, vice-president and general sales manager.

[*At the time O'Connor and Meyers resigned from RKO,* Motion Picture Daily *said that they were to join Universal.*]

With O'Connor established at the home office, Blumberg is expected to spend more of his time at the Universal studio. Blumberg is scheduled to leave for the studio Friday. John Joseph, director of advertising and publicity, leaves here Thursday and probably will join Blumberg in Chicago, accompanying him West.

Europe Still Partial Market, Says Kastner

(*Continued from page* 1)

remitted, Kastner reported. Strict censorship of films is in force in such localities, he said, but otherwise business is permitted. Where the company maintains its own offices in Europe, prints are sent either direct or through Lisbon. Its headquarters for unoccupied France are at Lyons.

Kastner said that "The Great Dictator" has played nowhere in Europe outside of Great Britain.

Much of his time in recent months, he said, has been spent attempting to straighten out distribution problems and the lack of good laboratory facilities in the limited territories still open to business.

Theatres Fighting Spokane Time Shift

Spokane, Wash., June 2.—Theatres here are opening a campaign against daylight saving time. Representatives met with City Commissioners and told them the proposed move would "ruin" their business.

One leading operator expressed the opinion privately that "half the theatres in town would close" if daylight saving time is adopted. "We are just getting by now," he added. Although Spokane has voted down the idea several times in previous years, the Retail Trade Bureau and Junior Chamber of Commerce are exerting pressure in favor of daylight saving.

New Silverstone-Pickford Company To Be Ready Soon

(*Continued from page* 1)

ministration with the appointment of a chief executive later on, she stated.

Miss Pickford said that the United Artists owners, herself, Alexander Korda and Charles Chaplin, are "completely satisfied" with the sales department, and will concentrate in the future on obtaining outstanding producers for the company whose product will "continue the United Artists' tradition of handling important pictures from completely independent producers."

United Artists has offered $400,000 to the Douglas Fairbanks estate for the one-fifth stock interest which it owns, she said. Plans for making both that interest, if acquired by the company, and the interest recently obtained from Samuel Goldwyn, available to outstanding producers have been formulated.

Court approval for the sale of the Fairbanks' estate stock must be obtained before a deal can be consummated.

Ky. Sues Schine on Chance Games Use

(*Continued from page* 1)

attempt to clarify the law. He has repeatedly given opinions that chance games violate the anti-lottery provisions of the constitution.

The suit charges the chance game constitutes a material part of Schine's business in this state under its franchise, which prohibits Schine from conducting its business in other than a lawful manner. The lottery ban, the suit contends, "has been openly, notoriously and continuously violated at least once each week during the last five years" at the Kentucky, Ben Ali, Strand and State Theatres here.

Wally Allen, in charge of Schine's Kentucky interests, declined to comment on the suit. Meredith refused to state whether he plans similar action against other theatres or circuits. "Once the law has been clarified," he said, "local prosecutors may act." He contended that the law passed by the 1940 legislature imposing a 15 per cent tax on chance game awards does not legalize the games. The tax has netted the state $47,000 since it became effective last June 12.

Rules Des Moines Council Has Power Over Games

Des Moines, June 2.—The Des Moines City Council has the power to regulate the operation of chance games, according to a ruling by City Solicitor Fred T. VanLiew in answer to a petition referred to him by the council.

The petition had been presented to the council by a Des Moines citizen asking the council to pass an ordinance requiring film theatre operators in Des Moines to destroy all existing games registration lists and also to set up regulations for operation of chance games.

Fritz Lang in East

Fritz Lang, 20th Century-Fox director, who has just completed work on "Man Hunt," has arrived in New York.

Grosses Soar On Broadway Over Holiday

(*Continued from page* 1)

acted the exodus from the city for the holiday of New Yorkers, and Sunday's weather was sufficiently over[illegible] to make the Broadway houses, [illegible] strong attractions, doubly attractive to visitors whose outdoor activity was necessarily restricted by the weather.

$66,000 for 'Serenade'

At the Music Hall, "Penny Serenade," with a stage show, grossed an entimated $66,000 Thursday through Sunday of the second week, with $19,200 figured at the Memorial Day gross on Friday. The third week will begin on Thursday.

The Roxy attracted an estimated $35,800 Thursday through Sunday with "Blood and Sand" on the screen and a stage show. At that house the Friday total was estimated at $11,000, and there, too, the third week will begin on Thursday.

'Wings' May Better $50,000

At the Paramount, where "I Wanted Wings" is the picture and Vaughn Monroe is the featured stage attraction, Friday's gross was estimated at $9,500, the Saturday and Sunday combined total was reckoned at $24,000, and it is estimated the second week, ending tonight, will bring a gross of more than $50,000.

It is estimated the third week of "Major Barbara" at the Astor, ending tonight will bring $12,000.

"Citizen Kane" at the Palace drew an estimated $10,000 Thursday through Sunday of the fifth week, and is still going strong. The picture drew an estimated $13,500 in the fourth week, ending last Wednesday.

Pascal Arranges to Produce in Montreal

(*Continued from page* 1)

and it will be followed by production of a Shaw play.

Pascal said his plans call for those two pictures this year and for three next year, all for United Artists release. The producer reportedly will receive financial backing from the Canadian Pacific Railway organization.

Pascal Contract Not Yet Signed

Montreal, June 2.—While negotiations between Gabriel Pascal and Associated Screen News here are apparently completed, the contract has not yet been signed, due to the absence from the city of Ben Norrish, head of the local company.

Canadian Pacific Railway owns Associated Screen, with Sir Edward Beatty, former president of ASN, now on its board of directors. It is understood ASN bought extensive film equipment from Dominion Sound, after the filming of scenes of "Forty-Ninth Parallel" here.

Dominion Sound, affiliate of Northern Electric, will provide additional equipment for the new project when necessary. Studio space is reported suitable for limited indoor work. It comprises one sound stage of 6,000 square feet, and various shops, recording rooms and other facilities.

BEHIND THE SCENES

BACK of the arresting beauty of modern screen productions stands the unvarying high quality of Eastman negative films. Each does its specific work surpassingly well. From long experience, directors and cameramen take for granted this vital contribution to each scene's success. Eastman Kodak Company, Rochester, N. Y.

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EASTMAN NEGATIVE FILMS

Productions Drop with 41 Now Shooting

HOLLYWOOD, June 2.—Forty-one pictures were in work this week, a drop of nine from last week's total, as 14 were finished and five were started. Twenty-nine were being prepared, and 86 were being edited.

The tally by studios:

Columbia

Finished: "Tillie the Toiler," "Two Latins from Manhattan," "King of Dodge City," "Mystery Ship."

In Work: "Our Wife," "Texas," "Mr. Jordan Comes to Town," "Tonight Belongs to Us," "Ladies in Retirement," "You'll Never Get Rich."

Goldwyn

In Work: "The Little Foxes."

Korda

In Work: "Illusions."

M-G-M

In Work: "Barnacle Bill," "The Yearling," "Life Begins with Andy Hardy," "Smilin' Through," "Ringside Maisie."

Started: "Young Americans."

Monogram

Finished: "Wanderers of the West," "Murder by Appointment."

Started: "City Limits."

Paramount

Finished: "Nothing but the Truth."

In Work: "Birth of the Blues," "Among the Living," "Sullivan's Travels," "Sheik of Buffalo Butte," "Bahama Passage."

RKO

Finished: "Father Takes a Wife," "Meet the Viking" (formerly "The Gay Falcon").

In Work: "The Devil and Daniel Webster," "Look Who's Talking," "Lord Epping Sees a Ghost," Untitled Tim Holt western.

Republic

Finished: "Puddin' Head."

In Work: "Hurricane Smith," "Gangs of Sonora," "Under Fiesta Stars."

Small

In Work: "International Lady."

20th Century-Fox

In Work: "Belle Starr," "A Yank in the R.A.F.," "Charley's Aunt," "Wild Geese Calling."

Universal

Finished: "Flying Cadets," "Man from Montana."

In Work: "I, James Lewis," "San Antonio Rose."

Started: "Almost an Angel," "Mob Town," "Raiders of the Dust."

Warners

In Work: "Dive Bomber," "Navy Blues," "The Smiling Ghost," "King Rubber."

Close Providence House

PROVIDENCE, June 2.—The Metropolitan Theatre has ended its series of weekend stage shows shutting down for the Summer. The house, part of the Associated circuit, has been rented for a school graduation the middle of the month. After that, renovations will be made.

W. B. Re-sign Litvak

HOLLYWOOD, June 2. — Anatole Litvak has been signed to a new long-term contract by Warners as director.

Short Subject Reviews

"Those We Love"

(*Paramount*)

This is the first of a new series titled "Your Favorite Program" and inspects thoroughly the radio show, "Those We Love," from the moment the script is prepared, through rehearsals and finally the broadcast. Nan Grey, Richard Cromwell, Donald Woods, Oscar O'Shea and others appear on the program while Jimmie Fidler delivers the narration. An interesting short, particularly for the program's audience and for those who never have seen a broadcast. Running time, 11 mins.

"Zero the Hound"

(*Paramount*)

Zero, a newcomer to the cartoon world, is seen accompanying his master on a duck hunt that includes the usual chases and tussles. A sneezing routine is worked in with the characters blowing each other all over the place. Finally the hunter bags a flock of ducks with an accidental shot. Mildly amusing fare. Running time, 7 mins.

"Capital Side Lights"

(*Columbia*)

A novel manner of presentation of some of the lesser known views of the beautiful city of Washington, this includes one of the apparently inevitable quizzes with which American life currently is studded. In this instance, questions pertinent to American history and the Washington scene of the moment are presented—then answered on the screen. Arthur Hale of the radio brings his good voice to the commentary. Running time, 10 mins.

"Unusual Occupations, LO-5"

(*Paramount*)

An amusing clip on John Barrymore distinguishes this from the series. He is seen identifying pieces of his curio collection, a stuffed shirt included, for Ken Carpenter. The actor's jocular remarks are sure laugh material. Also in the short: a self-kicking machine; funny-faced pumpkins; art masterpieces reduced to postage stamp size, and roses made from egg tissues. All are interestingly presented in color. Running time, 11 mins.

"Olive's Boithday Presink"

(*Paramount*)

As the title might suggest, Popeye is involved here. He sets out to buy a fur coat for Olive but upon finding the price too high he decides to hunt a bear. What follows is a fracas between Popeye and the bear. This is a repetition of many previous cartoons in the series. Running time, 7 mins.

"The Forgotten Man"

(*Paramount.*)

The character of the title is portrayed by Robert Benchley and the story is typical Benchley material, amusing as always. His role is the forgotten father who seems to be in the way around the house when daughter's beaux are calling. He is the last to know of her marriage and has the least to do at the ceremony. Running time, 11 mins.

Two New Complaints Are Filed in Atlanta

ATLANTA, June 2.—Two cases, the first of record at the local board, were filed here today, both by Aaron Courshon, operator of the Parkway, Miami, Fla., on clearance.

In the first, Courshon names Paramount, Warners and Loew's and the 16 theatres in Miami operated by S. A. Lynch for Paramount. He asserts that the Parkway is obliged to play 120 to 150 days after the downtown first runs and asks a reduction in the clearance.

In the second complaint, Courshon names 20th Century-Fox and the Wometco Circuit of 12 theatres, alleging the same conditions and asking the same relief.

Postpone Hearing In Oyster Bay Case

Hearing of the clearance complaint of the Lyric Theatre, Oyster Bay, L. I., against Paramount, scheduled for yesterday at the New York board, was postponed to Aug. 1 with the consent of all parties.

3 New Conn. Firms

MILFORD, Conn., June 2.—Milford Theatre Co. of Milford, Conn., has been incorporated to operate the E. M. Loew Milford Drive-In Theatre. Certificates of incorporation have been filed as well for the Prudential Connecticut Theatres, Inc., New Canaan, and the Main Amusement Co., Bridgeport.

Legion's Approval Goes to 13 Pictures

The National Legion of Decency for the current week has approved 13 of 15 new pictures reviewed and classified, seven for general patronage and six for adults. Two were classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage — "Adventures in Washington," "Billy the Kid," "The Bride Wore Crutches," "In the Navy," "Sunny," "Naval Academy," "The Texas Marshal." Class A-2, Unobjectionable for Adults—"Caught in the Draft," "Million Dollar Baby," "Redhead," "Tight Shoes," "Too Many Blondes," "The Voice in the Night." Class B, Objectionable in Part—"Blood and Sand," "Major Barbara."

Pa. Court Sustains Fight Against Union

PHILADELPHIA, June 2.—The Pennsylvania State Supreme Court, by refusing to entertain an appeal by the local musicians' union, Local 77, upheld a lower court decision directing the union to reimburse three members for loss of pay resulting from disciplinary measures.

The original lower court order directed that three union members, George W. Tipton, Alvin Schatz and Leon Gordon, be paid for time lost and be reinstated. Each had been fined $100 by the union for allegedly working for less than the recognized scale while members of the orchestra at the Carman Theatre.

Coast Houses Drop Sharply; 'Major' Fair

LOS ANGELES, June 2.—Business took a general drop of 20 per cent below average, for one of the worst weeks in some time. The only house showing better than average business was the 4 Star, for the third week of "Major Barbara" with $3,300.

Estimated receipts for the week ending May 27:

"Love Crazy" (M-G-M)
"Sleepers West" (20th-Fox)
CHINESE—(2,300) (33c-44c-55c-75c) 7 days. Gross: $11,500. (Average, $12,000)

"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 17th week. Gross: $7,200. (Average, $17,000)

"Citizen Kane" (RKO)
EL CAPITAN (1,600) (75c-$1.65) 7 days, 3rd week. Gross: $5,200.

"Major Barbara" (U.A.)
FOUR STAR—(900) (44c-55c) 7 days, 3rd week. Gross: $3,300. (Average, $3,250)

"The Flame of New Orleans" (Univ.)
"Naval Academy" (Col.)
HILLSTREET—(2,700) (23c-44c-55c-75c) 7 days. Gross: $6,500. (Average, $6,500)

"Love Crazy" (M-G-M)
"Sleepers West" (20th-Fox)
LOEW'S STATE—(2,500) (23c-44c-55c-75c) 7 days. Gross: $14,000. (Average, $14,000)

"The Flame of New Orleans" (Univ.)
"Naval Academy" (Col.)
PANTAGES — (3,000) (33c-44c-55c-75c) 7 days. Gross: $7,000. (Average, $7,000)

"I Wanted Wings" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days, 2nd week. Stage: Richard Himber orchestra. Gross: $12,000. (Average, $18,000)

"Shining Victory" (W.B.)
"Thieves Fall Out" (W.B.)
WARNERS' HOLLYWOOD—(3,000) (33c-44c-55c-75c) 7 days. Gross: $7,400. (Average, $14,000)

"Thieves Fall Out" (W.B.)
"Shining Victory" (W.B.)
WARNERS' DOWNTOWN—(3,400) (33c-44c-55c-75c) 7 days. Gross: $7,400. (Average, $12,000)

Maritime Provinces Invaded by Odeon

ST. JOHN, N. B., June 2.—The new Odeon Circuit in Canada has entered the Maritime Provinces. Clarence Robson, vice-president of Odeon, is on his first tour of this territory in his new affiliation after 21 years of covering the same ground as Eastern supervisor for Famous Players Canadian.

At Halifax, the Casino has been switched over to Odeon after about six years in the F.P.C. lineup. At Sydney, E. R. Lynn has allied his Strand with Odeon, and at Moncton, F. W. Winter has taken his Capitol and Empress out of the F.P.C. Circuit and moved to Odeon. Odeon also will have at least one house in St. John, with the likelihood that several others in this region will join Odeon in the near future. The Capitol, at St. Johns, Newfoundland, is with Odeon after being with F.P.C. many years.

Frisco Track Closes

SAN FRANCISCO, June 2.—Local theatre prospects are a little brighter, following the closing of Bay Meadows Race Track's most successful 33-day meeting, which set a new northern California mutuel record. The daily average betting at the track was $22,221.

Club Plans Benefit

PITTSBURGH, June 2. — The local Variety Club's women's auxiliary will sponsor a benefit dance June 16. Proceeds will go to Camp O'Connell for boys. Mrs. I. E. Ecker is chairman.

Radio Gross Up 19% To New High in 1940

Time sales increased 19 per cent during 1940 over 1939, and operating income for the radio industry was 39 per cent ahead, according to the annual financial data compiled by the FCC. Time sales reached a new high of $154,823,787, an increase of $24,885,761, for major networks, five regional networks and 765 stations.

Talent sales and other services brought the industry $13,181,948, an increase of $1,871,696 over 1939. The increase of more than $9,000,000 in operating profit came despite the fact that industry expenses increased by $13,806,089, of which $994,573 was for 62 new stations.

Of the combined $71,919,428 time sales by NBC, CBS and MBS, an increase of 15 per cent, the networks paid to affiliates and regional networks $22,123,760 as compared with $18,023,195 in 1939. The three companies had $13,705,043 in operating profit and constituted 41 per cent of the broadcast income of the industry, as compared with 46 per cent in 1939.

NBC had a net profit of $3,918,772 as compared with $5,006,634 for CBS and a loss of $39,712 for MBS. Non-network business was up 20 per cent.

Operating profit of the 734 stations not operated by or for networks increased 50 per cent. The 62 new stations which started during 1940 received $956,925 in time sales but showed a loss of $37,648 in the aggregate. There were 187 stations losing money in 1940 and they lost a total of $1,551,812. Of the 62 new stations, 35 operated at a profit and 27 at a loss. In 1939 there were 227 stations losing money. A total of 61 stations have lost money every year since 1937.

During 1940 there were 457 network stations and 308 non-network, as compared with 397 and 308, respectively for 1939.

LeClerc of CBC, 2 Others Are Killed

OTTAWA, June 2.—Fernand LeClerc, head of the CBC special events department, and Rev. Wilfrid Morin, chaplain of Hospice St. Henri, Montreal, and well known radio lecturer, were killed Friday when an automobile carrying five prominent French Canadians swerved off the road near Montreal. Leo Pol Morin, musician and lecturer, also was killed.

Two other occupants, Louis Francoeur, CBC French network commentator, and Prof. Louis Bourgouin were seriously injured. All five were associated with a French language quiz program.

Lease Theatre in Ohio

CINCINNATI, June 2.—Clovernook Theatres, Inc., incorporated recently by Isaac Libson and Maurice White, who operate a number of other houses under separate corporate structures, has taken a 25-year lease on the 600-seat Clovernook, at nearby North College Hill, built and opened within the past year by Almeda Heinman.

Get RKO Writing Posts

HOLLYWOOD, June 2.—Collier Young, head of the RKO story department, has given writing posts to John Humphrey and Ardel Wray, formerly assistants. William Nutt and Paul Perez, readers, will replace the two promoted as assistants to Young.

Dandelion Drive

Des Moines, June 2

TRI-STATES Theatres are co-operating with the Des Moines Junior Chamber of Commerce, in a drive on dandelions by opening five of their theatres, the Strand, Ingersoll, Hiland, Uptown and Eastown at 10 A.M. next Saturday, with free admission for all children bringing a bushel of dandelions. City dump trucks will be waiting at the theatres to take care of the admission "tickets."

Ensor Wins Paley Award for 'Hams'

The fourth annual William S. Paley Award to the radio "ham" who made the outstanding contribution during the year was formally presented to Marshall H. Ensor, radio amateur of Olathe, Kan., at a luncheon at the Waldorf-Astoria Hotel yesterday.

Ensor, with his sister, Loretta Ensor, has been giving courses in amature radio operation over his "ham" station W9BSP to aid those seeking to take their license examinations. The presentation ceremonies were broadcast over CBS.

Paley, CBS president, attended the Senate hearings in Washington yesterday, and Paul W. Kesten, CBS vice-president, presided. Heard on the broadcast, besides Ensor and Kesten, were Rear Admiral Russell R. Waesche, commandant of the U. S. Coast Guard and member of the board of awards; Rear Admiral Stanford C. Hooper and George W. Bailey. American Radio Relay League president. Walter Stiles, Robert Anderson and W. E. Burgess were award winners in 1937, 1938 and 1939, respectively.

Craig Named WMCA Program Manager

Walter Craig, independent program producer, has been appointed program manager of WMCA. Leslie E. Roberts, director of public service programs; William L. Card, production manager, and Joe Rines, musical director, will work under Craig. Hal Janis will continue to handle news and sports and Leon Goldstein will continue in charge of publicity and special features.

Join Paralysis Fight

PHILADELPHIA, June 2.—Five members of the local Variety Club have been added to the executive committee of the Philadelphia Chapter of the National Foundation of Infantile Paralysis, making a total of 10 members, eight of whom are Variety Club members. The list of Variety men on the committee now includes Chief Barker Dr. Leon Levy. Jay Emanuel, James Clark, Isaac D. Levy, Al Boyd. Charles Goldfine, Frank McNamee and Ted Schlanger.

Two Companies Formed

ALBANY, June 2.—Two new companies chartered here are the Nancy Theatre Corp., New York, by Louis Masheb, Morris H. Miller and F. R. Miller, and Motion Picture Premium Co., New York, by Russell B. Greaves, John P. Griffith and Ruth Friedman.

Theatre Men Run Army Houses in E. Pennsylvania

PHILADELPHIA, June 2.—Experienced theatre men have been placed in charge of the War Department theatres at camps in Eastern Pennsylvania. At the New Cumberland Army Reception Center and Supply Depot, Major Wayne E. Homan, former publicity man for Loew's theatres in Reading, Pa., is manager of the 375-seat theatre presenting regular two-hour shows twice a night on Tuesdays, Thursdays, Fridays, Saturdays and Sundays. Private Fred K. Martin, assistant manager, was with Loew theatres in Reading, Harrisburg, Norfolk and Washington; and the remaining staff of experienced theatremen includes Corporal Fred A. Simmens, ticket taker; Sergeant John Basala, chief projectionist; and Private Elias Bacha, assistant projectionist.

Grimes Formerly With W.B.

At the newly-opened East Theatre at Indiantown Gap, Post Theatre Officer, Captain K. A. Grimes, who managed the Warner, Erie, Pa., for 15 years prior to his induction, is manager of the 1,100-seat house. Opening at 6 P.M., the program is changed daily with a double feature on Saturdays. Another new theatre in the western end of the encampment will soon be opened. Each house is air-conditioned, equipped with two powerful projectors with facilities for stage productions provided at the East.

Vaudeville at 15 Cents

Lester Schwartz, one-time Warner manager in Philadelphia, and since a burlesque press agent, is providing the first professional vaudeville shows for a paid admission at Indiantown Gap. Playing each night at the recreation hall of each of the 12 regiments stationed here, a 15-cent admission is charged.

At nearby Fort Dix, N. J., a Little Theatre group of selected players was organized by Corporal Sidney Ordower, who headed his own network radio shows on CBS.

Williams Is Sued by Downes Over Loan

Suit for $4,000 was filed by Olin Downes, *New York Times* music critic, against Wythe Williams, Mutual commentator, in N. Y. Supreme Court yesterday. According to the complaint, Downes and Williams made a joint loan of $5,000 from the late Otto Kahn in 1930, of which Downes received $1,000 and Williams, $4,000. Downes alleged that he was compelled to pay Williams' share when the latter failed to repay the loan.

Smith President of Neb. Broadcasters

OMAHA, June 2.—Vernon H. Smith, manager of KOWH here, was elected president of the Nebraska Broadcasters Association at its annual meeting.

Other officers are: L. L. Hilliard, KGKY, Scottsbluff, vice-president; Art Thomas, WJAG, Norfolk, secretary-treasurer. Directors are W. I. LeBarron, KGNF, North Platte; Don Searle, KOIL, Omaha, and John Gillin, Jr., WOW, Omaha.

'Serenade,' Jurgens Big Chicago Lead

CHICAGO, June 2.—Business in the Loop has picked up and the Chicago Theatre rolled up $45,000, one of the best grosses in weeks with the combination of Dick Jurgens' orchestra, and "Penny Serenade."

Estimated receipts for the week ending May 29:

"Fantasia" (Disney)
APOLLO—(1,400) (50c-75c-$1.10-$1.65) 14th week. Gross: $10,500. (Average, $6,500)

"Penny Serenade" (Col.)
CHICAGO — (4,000) (35c-55c-75c) 7 days. Stage: Dick Jurgens' Band. Gross: $45,000. (Average, $32,000)

"The Great Lie" (W.B.)
GARRICK — (1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $3,900. (Average, $5.000)

"Andy Hardy's Secretary" (M-G-M)
"Rage In Heaven" (M-G-M)
ORIENTAL — (3,200) (25c-40c) 7 days. Gross: $8.500. (Average, $9,000)

"Flame of New Orleans" (Univ.)
"The Black Cat" (Univ.)
PALACE — (2,500) (35c-55c-75c) 7 days. Gross: $12,000. (Average, $13,000)

"The Great Dictator" (U.A.)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days, 4th week. Gross: $11,800. (Average, $11,000)

"Go West" (M-G-M)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Grandfather's Follies. Gross: $11,500. (Average, $15,000)

"A Woman's Face" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days. Gross: $13.500. (Average, $14,000)

"Citizen Kane" (RKO)
WOODS—(1,100) (75c-$1.10-$1.65) 7 days, 3rd week. Gross: $8,100.

'Love Crazy' Gets $14,000 in Detroit

DETROIT, June 2.—Patrons continued apathetic toward the programs offered. The Michigan reported $14,000 with "Love Crazy" and "Washington Melodrama."

Estimated receipts for the week ending May 29:

"Penny Serenade" (Col.)
"Scotland Yard" (20th-Fox)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days, 2nd week. Gross: $5,000. (Average, $5,500)

"The Great Dictator" (U. A.)
"That Night in Rio" (20th-Fox)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $7,000)

"The Great American Broadcast" (20th-Fox)
"They Dare Not Love" Col.)
FOX—(5,000) (20c-44c-55c-65c) 7 days, 2nd week. (Gross: $13,500. (Average, $15,000)

"Love Crazy" (M-G-M)
"Washington Melodrama" M-G-M)
MICHIGAN — (4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $14,000. (Average, $12,000)

"That Hamilton Woman" (U. A.)
"Men of Boys Town" (M-G-M)
PALMS—(2,000) (25c-39c-44c-55c) 7 days, 2nd week. Gross: $7,000. (Average, $7,000)

"A Woman's Face" (M-G-M)
"I'll Wait For You" (M-G-M)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 7 days. Gross: $8,000. (Average, $10,000)

'Dictator' Garners Big $9,800 in Omaha

OMAHA, June 2.—First run business here continues slow. "The Great Dictator" pulled $9,800 at the Omaha. Sports competition was heavy.

Estimated receipts for the week ending May 28-29:

"Affectionately Yours" (W.B.)
"Singapore Woman" (W.B.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4.200. (Average. $4,000)

"The Great Dictator" (U.A.)
'Scotland Yard" (20th-Fox)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $9.800. (Average. $6,000)

"Love Crazy" (M-G-M)
"The Trial of Mary Dugan" (M-G-M)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $7,300. (Average, $7,200)

Rules Will Not Kill Networks, Fly Contends

By BERTRAM F. LINZ

WASHINGTON, June 2.—New network regulations of the FCC will not prevent stations from making contracts with networks and will put no networks out of business, James L. Fly, chairman, contended today at the opening of hearings before the Senate Interstate Commerce Committee. Indications are the hearings may run several days.

Meanwhile, the FCC set June 25 for hearings on newspaper ownership of radio stations. These hearings are to determine whether a special policy should be adopted with respect to newspaper ownership of stations and how the policy should be applied to particular cases.

Before the Senate committee, Fly began his presentation after Sen. Burton K. Wheeler, chairman of the committee, agreed with Sen. Wallace H. White, who proposed the investigation, that if any probe is undertaken it should include the industry as well as the FCC.

Says Congress Responsible

Fly placed responsibility for the chain broadcasting investigation squarely in the lap of Congress. He pointed out that the Communications Act specifically provides for chain regulation and that the inquiry was undertaken at the instigation of Congress under threat of an investigation of the Commission.

If there is any valid criticism of the FCC action, he told the committee, it should be that the FCC was "too blamed slow in doing the job." Fly challenged various statements that have been made regarding the investigation and the regulations, asserting that every party interested was given full opportunity during the 73 days of hearings in which 96 witnesses piled up 8,713 pages of testimony and 707 exhibits. Later, he said, opportunity was given for the filing of briefs and oral argument was held at which those appearing were asked to comment on proposed regulations. Neither of the older networks had any proposals, he said, but opposed all the regulations.

Even today, he continued, there is an "unhealthy tendency toward centralization of power" in two networks and a situation is growing which clearly is in violation of the anti-trust acts which, he pointed out, were made specifically applicable to broadcasting in the Communications Act.

Fly and Wheeler engaged in discussion of the situation on clear channels, the latter declaring there was no need for the networks to control the clear channel stations, with Fly agreeing that instead of affording programs to poorly served rural areas, as intended, the stations were being used to "tap the cream of the market." He had suggested to the two major networks that they extend their operations to the poorly served areas as a matter of public service, he added, but they had refused to undertake anything that did not promise a profit.

Discussing the regulations, Fly said they will make no difference in the affiliation of stations except that when a network has not agreed to give service on a particular hour the station will be free to get service from some other source. He admitted, however, that if a station agreed to take a network's service exclusively in order to obtain an affiliation, it would constitute a violation of regulations. He suggested that the FCC's action in such a case could be appealed to the courts where a decision settling the issue could be secured.

Denies Ethridge Charges

Fly denied charges of political favoritism made by Mark Ethridge, *Louisville Courier-Journal* general manager, but added that he could make no specific answer because Ethridge's charges were too general.

Under questioning by Sen. Charles W. Tobey, Fly explained that a license transfer in which former Gov. James Cox of Ohio was a party went through the commission with unusual speed because there was "no question" of Cox's financial and other ability to operate a station. He was asked about a more recent case in which Jesse Jones, head of the Reconstruction Finance Corp., was involved but the session ended before Fly had an opportunity to answer.

Off the Antenna

WITH the approval of a commercial FM license for the American Broadcasting Corp. of Kentucky for a station in Lexington, the total of commercial FM licenses outstanding is now 47 of which almost a third are now on the air. The latest application filed was that by the Oakland, Cal., *Tribune* which operates KLX. In New York, the total number of applications filed is now 20, with WEVD as the latest applicant. New York City has only 11 FM channels available and eight are already assigned.

• • •

Purely Personal: *C. E. Midgley, who has been with Batten, Barton, Durstine & Osborn since* 1928, *will join CBS June* 30 *as sales service manager. . . . Jack Hartley, of the NBC special events staff and a lieutenant in the Naval Reserve, has been called up for active duty. . . . Mary Ingram, KSO-KRNT, Des Moines, traffic manager, is spending a vacation in Washington State. Wayne Welch, the station's promotion manager, is on a bicycle tour of Iowa and Wisconsin. . . . Dennis Day, vocalist on the Jack Benny show, is scheduled to arrive here today. Day will make personal appearances at the Roxy starting June* 13. *. . . Bob Smock, WIRE, Indianapolis, continuity head, has joined the copy department of McCann-Erickson in Chicago. Chet Long, of the WIRE staff, is filling the vacancy temporarily. . . . The Overseas Press Club will give a luncheon to Johannes Steel, WMCA commentator, tomorrow. Steel returned from London Sunday. . . . Beulah M. Rodgers has been named KDKA, Pittsburgh, director of artists' service bureau. . . . LeMoine C. Wheeler of WHEC, Rochester, is in town for a short visit. . . . Tom Price, WWSW, Pittsburgh, sales manager, is the father of a baby girl.*

• • •

WOR, too, has adopted the policy of dropping occasional jingles into the ether on station breaks. The rhymes call attention to special programs or certain public service announcements.

• • •

Program News: American Safety Razor Co. has renewed Wythe Williams over 99 Mutual stations for 13 weeks, effective June 10. . . "Defense News" will start today over WJZ and will be heard Monday through Saturday 6:05-6:15 P.M. It will contain brief summaries of all activities in national defense. . . . "Johnson Family" will return to WOR June 16 and will be heard Monday through Friday 8:45-9 A.M. Jimmy Scribner handles the complete show, even to acting all characters. . . . Wheeling Steel on June 29 will suspend for the Summer "Musical Steelmakers," heard Sundays over Mutual, and resume the program Oct. 5.

Anti-Ascap Measure In N. J. Seen Dead

TRENTON, June 2.—New Jersey's anti-Ascap bill has been relegated to the miscellaneous business committee of the House with no chance of enactment, after being considered by the House steering committee. The bill would have imposed a five per cent tax on the society's licensing proceeds in the state. A similar measure was defeated last year.

Longstreth Will Set Up USO Broadcast

Edward Longstreth, Colgate-Palmolive-Peet radio director, temporarily has been impressed into service by the United Service Organization for National Defense to set up, arrange and assist in writing the broadcast tonight which will mark the opening of the U. S. O. campaign for servicing recreational activities.. The broadcast will be heard 10:30-11 P. M. on CBS, NBC-Blue and Mutual.

The show will originate at the CBS New York studios and there will be pickups from Washington, Indianapolis and Los Angeles. Bob Trout will be master of ceremonies and Mark Warnow musical director.

Among those to be heard during the program are Admiral Harold R. Stark, chief of Naval Operations; General George C. Marshall, Army Chief of Staff; Secretary of War Frank Knox; John J. McCloy, Assistant Secretary of War; Walter Hoving, U.S.O. president; Paul McNutt, Federal Security Administrator, who will read a message from President Roosevelt; Thomas E. Dewey, chairman of the national campaign fund, and Charles P. Taft, Assistant Federal Security Administrator.

$910,272 Cleared by Philco for Quarter

ATLANTIC CITY, June 2.—Philco earnings for the first quarter of 1941 amounted to $910,272 before taxes as compared with $593,320 for the same period last year, James T. Buckley, president, announced at the company's convention here to introduce the 1942 radio line.

Florida Asks Ascap to Work Out New Deal

Florida officials, headed by the Governor and the Attorney General, have requested Ascap to continue operations in the state as heretofore for a 30-day pe[illegible] during which time methods will be worked out to permit commercial music users in the state to obtain blanket licensing agreements from Ascap, members of the society were informed at their special meeting at the Astor Hotel yesterday.

The meeting, held as the Federal consent decree against the society became effective, approved the proposed new by-laws for the society, made necessary by the decree, and gave a vote of confidence to the Ascap board of directors and officers, headed by Gene Buck, president.

The new by-laws provide for election of directors by the membership instead of by the board, as heretofore. A nominating committee will be appointed by the board within the next few days to propose a list of candidates to fill 11 vacancies on the Ascap board of 24 now existing. Three candidates for each vacancy will be proposed, one of whom must be the director whose term is expiring, unless such person declines to be a candidate. Voting will be conducted by mail and ballots must be in at least five days prior to the annual membership meeting, which will be held early in July.

A report on the discussions with Florida officials was made by John G. Paine, general manager, who went to Tallahassee last week with Herman Finkelstein of Schwartz & Frohlich, Ascap counsel, to determine the state's attitude toward enforcement of its anti-Ascap law which was upheld by the U. S. Supreme Court on May 26.

Presumably, the state will enact amendments to its Ascap law which would permit users of music in Florida to take blanket licenses from Ascap as in the past, if they wish to do so so. Otherwise, the Florida music users would have to obtain individual licenses from copyright owners for each song played, at a considerably increased expense.

As a result of the state officials' attitude, Ascap anticipates little change of any consequence in its Florida operations because of the Supreme Court decision. A similar result is expected in Nebraska, the Supreme Court also having upheld that state's anti-Ascap law.

Supreme Court Decision Not Affecting BMI

Broadcast Music, Inc., in a statement to its affiliated publishing companies yesterday, said that the Supreme Court's decisions against Ascap "will in no substantial way affect either the structure or activities of BMI, since it has already taken steps to comply with all state statutes applicable to it."

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MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

. 49. NO. 108 NEW YORK, U. S. A., WEDNESDAY, JUNE 4, 1941 TEN CENTS

Protection of Free Speech Is Aim of FCC

Fly Explains Purpose of Monopoly Rules

WASHINGTON, June 3.—The whole purport of the FCC monopoly regulations is to insure freedom of speech, James L. Fly, chairman of the FCC, today told the Senate Interstate Commerce Committee during the second day of hearings on the White resolution for an investigation of the radio industry and the FCC.

"Freedom of speech should not be under the complete domination of but two controls," Fly said, adding, however, that there can be a "saturation point" in the number of networks which can be accommodated. Probably not more than

(*Continued on page 8*)

Trial of Trust Suit Opens in Lincoln

LINCOLN, Neb., June 3.—The Federal Court here is hearing the case of Frank E. Hollingsworth, owner and operator of the defunct Pix Theatre in Beatrice, Neb., who charges the Fox Beatrice Theatre Corp., and others with violation of the Sherman and Clayton anti-trust acts.

Hollingsworth alleges monopolistic methods were employed by the Fox Company and 16 other defendants to force him out of business. He is seeking $234,300 in damages.

Among the defendants are: Elmer C. Rhoden, R. G. Montgomery, Charles E. Shafer, H. A. McClure, officers, and B. M. Montee, manager, of the Rivoli and Fox, Fox-owned houses in Beatrice; Fox Midwest Amusement Corp., controlling organization for the Beatrice Fox Company; United Artists, RKO, Loew's, Paramount, Universal, Republic, and Midwest Theatres, Inc.

Exhibitor, Wife Die In Ia. Theatre Fire

RADCLIFFE, Ia., June 3.—Mr. and Mrs. Clayton Carr, operators of the Radcliffe Theatre here, were burned to death in a fire that destroyed the theatre building. The theatre had closed for the night and they were working in the projection room when an explosion occurred. Two young sons survive.

Report Coast Union Demands Browne, Bioff Resignation

HOLLYWOOD, June 3.—What appears to be the first open break of an IATSE studio local with the International leadership headed by George E. Browne and Willie Bioff was reported today following a meeting of Studio Electricians Local 728 at which a resolution is said to have been adopted calling on the indicted officials and their appointed aides to resign.

Executives of Local 728 refused to confirm or deny the report on the ground that disclosing information of the local's business meetings is against its by-laws.

They said, however, that in the event of such a resolution being passed it would be forwarded to the international executive board.

Local 728 is one of five created from Studio Technicians Local 37, which was dissolved by Browne and Bioff after an unsuccessful fight of members through the United Studio Technicians Guild to create their own organization.

Trailers Urging Film Attendance

Atlanta, June 3.—Lucas & Jenkins theatres are running a trailer after the feature urging the public to see more films, pointing out the films are their best and cheapest form of entertainment in a period when people need to forget the cares of the world.

MPTOA to Hear Rodgers, Golden

W. F. Rodgers, general sales manager of M-G-M, and Nate D. Golden, chief of the Motion Picture Division of the Department of Commerce, will head the list of speakers at the MPTOA national convention in Los Angeles starting next Monday for three days.

Other speakers will be J. Noble Braden, executive secretary of the American Arbitration Association; Austin Keough, Paramount vice-president; Frank Phelps, in charge of Warner labor relations; Walter Wanger, Edward Arnold and John H. Harris.

J. Edgar Hoover, chief of the Federal Bureau of Investigation, who was scheduled to be one of the speakers, may be unable to attend because of the national emergency which, incidentally, will prevent a number of other Government officials from ac-

(*Continued on page 4*)

Ask L.A. Arbitration Complaint Dismissal

LOS ANGELES, June 3.—Motions to dismiss the arbitration complaint of O. W. Lewis of the Mission Playhouse, San Gabriel, were made today before Herbert Cameron, arbitrator, by Paramount, Vitagraph and Loew's, respondents, and Fox West Coast, Alhambra Amusement Co. and Edwards Theatres Circuit, intervening petitioners. Lewis seeks a revised clearance and zoning setup for his area. Cameron announced he would rule on the motions by June 11 and recessed the hearing to that date.

Neth Circuit Experiment in Columbus Indicates Patrons Prefer Single Bills

Columbus, O., June 3.—"If we could get a sufficient number of really big pictures, I would immediately return to a single feature policy," declared J. Real Neth, president and general manager of the Neth Circuit of local neighborhood houses. "It is my personal belief that a good feature augmented by a variety of shorts and a newsreel comprise the ideal entertainment."

To test audience preference, Neth recently played "The Devil and Miss Jones" on a single bill at the State, while double featuring it with "Free and Easy" at the Eastern. House managers checking audience comment reported approximately 80 per cent delighted with single features, some having driven from extreme ends of the city to attend. A few were indifferent, as they were "simple going to the theatre," and several walked away when they discovered only a single feature was being shown. When subsequently showing "The Great Dictator" on a single bill simultaneously at the State and Markham, business was considerably better than reported for double features.

Heineman Is 'U' Assistant Sales Chief

Scully Sets New Posts For McCarthy, Meyers

William Heineman

William J. Heineman, Universal Western sales manager, yesterday was appointed assistant general sales manager by W. A. Scully, vice-president and general sales manager, in a revision of the executive sales staff in which Fred Meyers, former head film buyer and booker for RKO Theatres, was appointed Eastern sales manager.

At the same time, the Universal board of directors elected John J. O'Connor, former vice-president and general manager of RKO Theatres, a vice-president of

(*Continued on page 4*)

Atlanta Houses Hit By Reduced Power

ATLANTA, June 3.—Drastic curtailment of electric power to conserve energy for industrial defense units in the South has turned the 370,000-population metropolis of Atlanta into an almost "blacked out" city and the theatres and amusement business are being hard hit.

Cooperating to the fullest in the plea by cabinet members and power officials, Atlanta theatres have turned off the bright lights of the marquees and are using only those few essential lights needed to announce the attractions. Show windows in department stores are dark and highway lights are off.

Saturday night, usually characterized by gay throngs, found Atlanta's famed Peachtree Street almost deserted. One could walk two blocks without passing more than four or five people. Theatre managers stood outside their houses, with small groups going in.

Theatres were among the first to pledge full cooperation in the reduction of power consumption in the Southeast by one-third.

Coast Flashes

Hollywood, June 3

ARTHUR W. KELLY, temporary chief of United Artists, left by TWA plane tonight for New York.

•

Screen Cartoonists Local 852 today received the backing of the Screen Writers Guild executive board, which announced it would recommend to its members a policy of moral and financial support to striking cartoonists at the Walt Disney studio. Union leaders are planning to spread the picketing to more theatres.

•

Boris Morros' second film for Paramount will be "Tales of Manhattan," which will have seven different sets and as many leading men and women similar to "If I Had a Million" of some years ago.

•

Jack Votion and RKO today closed a deal by which Votion will produce a second feature starring Lum and Abner for RKO release.

•

Jules White, Columbia shorts producer, returned today from New York.

Guttman Joins Roach

HOLLYWOOD, June 3.—Charles Guttman has joined the Hal Roach studio staff as assistant producer. Guttman had been with the M-G-M foreign sales department for 14 years.

Personal Mention

RALPH BRANTON and JOSEPH DIETZ of the Tri-States Circuit, Des Moines, are in New York.

•

LARRY R. WATERMAN, secretary to N. J. BLUMBERG, Universal president, will leave for the company's studio on Saturday to remain there until early Fall.

•

ANDREW T. SHARICK, studio sales contact at the Universal home office, on Monday became a grandfather. An eight-pound girl, NANCY JANE, was born to his daughter, MRS. BETTY TIPTON, at the Flushing Hospital.

•

STANLEY ARNOLD, out-of-town booker for Warner Theatres in Philadelphia, was deferred for Army service after a full round of farewell parties.

•

MR. and MRS. ED MAY of Schine's Russell Theatre, Maysville, Ky., are visiting here.

•

JOSEPH GOLDSTEIN of Schine's Webster Theatre, Rochester, and MRS. GOLDSTEIN are in town.

•

CHARLES AARON, traveling auditor for M-G-M, is in New Haven this week.

•

JAMES GILLESPIE, publicity and exploitation man for United Artists, is in North Carolina.

•

GEORGE A. NEVIN, manager of the Capitol, Danville, Pa., has recovered from an operation for a leg injury.

EARLE W. SWEIGERT, Paramount district manager in Philadelphia, celebrates his 25th wedding anniversary on Saturday.

•

MAX FRIED, Century Circuit booker, became the father of a six-pound boy Memorial Day, born to MRS. FRIED at the Flower Hospital.

•

W. E. BANFORD, M-G-M exchange manager in Chicago, has returned to work after a long illness.

•

EDWARD LEWIS, manager of the Metro Theatre in the Bronx, is in the St. Clare Hospital for treatment of injuries sustained in a fall.

•

JEFF DAVIS, United Artists district manager, has returned to Atlanta from a trip through Alabama.

•

WALLY VAN, director of Royal Poinciana Productions of Miami, is in town. He returns to Florida on Friday.

•

EDWIN SHERWOOD, Ascap representative in Baltimore, spent a few days cruising on Chesapeake Bay.

•

MRS. HELEN DALY, secretary to ED KUYKENDALL, will leave for the MPTOA convention in Los Angeles tomorrow.

•

ROLAND HAYNES, manager of Warners' Keystone, Philadelphia, is recovering after an appendix operation at Hahnemann Hospital.

•

TED HAEUSSLER of the Paramount, New Haven, will enter New Haven Hospital next week for treatment.

•

MEYER and MAURICE BAILEY, operators of the Whalley, Westville, Conn., have left with MORRIS NUNES for a fishing trip.

•

JEAN CARROLL SAWYER, daughter of JEANETTE SAWYER, who handles magazine publicity for 20th Century-Fox, has been awarded the Helen Prince Memorial Scholarship at Barnard College for excellence in dramatic composition.

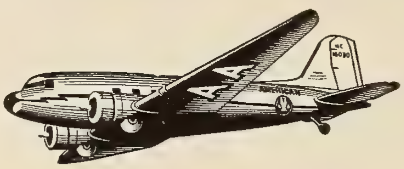
F. H. Richardson Is Honored by SMPE

The Society of Motion Picture Engineers yesterday presented a scroll to Frank H. Richardson, writer on projection for Quigley Publications, in recognition of "his efforts and labors for the betterment of projection."

The scroll was a resolution passed by the board of governors of the SMPE. It was presented to Richardson by a committee of the society, headed by Herbert Griffin, executive vice-president and vice-president of International Projector; Paul J. Larsen, SMPE secretary and associated with Baird Television in New York; Donald E. Hyndman, engineering vice-president of the society, who is with Eastman Kodak in New York, and Sylvan Harris, editor of the SMPE *Journal.*

Gehrig a Film Actor

It is little known that Lou Gehrig, baseball idol, who died Monday in his 38th year, was a film actor. He was featured in "Rawhide," a western, released by 20th Century-Fox in 1938.



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AMERICAN AIRLINES Inc.
ROUTE OF THE FLAGSHIPS

Newsreel Parade

THE new issues of the newsreels contain the first pictures of the British retreat from Greece together with the Royal Navy's attack on Tripoli. A $25,000,000 warehouse fire in Jersey City and the annual Memorial Day auto race at Indianapolis S[illegible]way also are filmed. The reels [illegible]d their contents follow:

MOVIETONE NEWS, No. 77—Fire in Jersey City. British navy raids Tripoli. Nazis attack Greek village. Battle in Eritrea. Parachuting at Fort Benning, Ga. Indianapolis auto race. Lowell Thomas interviews Dionne quintuplets.

NEWS OF THE DAY, No. 275—Jersey City fire. Battle in Greece. Ambassador Winant on the British front. Chief Justice Hughes retires. Dionne quints celebrate seventh birthday. Monkeys play at Cincinnati Zoo. N. Y. U. wins track meet. Auto race at Indianapolis.

PARAMOUNT NEWS, No. 80—Ickes appointed petroleum coordinator. Winant returns from England. Pacifists picket the White House. Lindberg speaks in Philadelphia. Record mail for Roosevelt. Hughes retires. German attack in Greece; British retreat, land in Egypt. Warehouse fire in Jersey City. Dionne Quintuplets celebrate birthday.

RKO PATHE NEWS, No. 80—Germans attack Greece as British troops retreat. Warehouse blaze in Jersey City. *S. S. America* shortens Caribbean cruise at request of Navy. Ambassador Winant arrives from London. Picketing at the White House. Dionne five have seventh birthday. College track meet in New York. Auto race at Indianapolis.

UNIVERSAL NEWSREEL, No. 985—Jersey City warehouse fire. British troops arrive in Egypt from Greece. Royal Navy attacks Tripoli. Memorial Day ceremony in New York. Winant returns from England. Victory parade in Thailand. Fort Benning troops in parachute jumps. New freighter launched in San Francisco. *S. S. America* taken over by the Navy. Dionne quintuplets have a birthday. Don Budge marries in Chicago. Indianapolis auto racing.

Illinois Allied Will Talk Triples Today

CHICAGO, June 3.—At the Illinois Allied meeting scheduled for tomorrow at the Congress Hotel, the subject of triple features is expected to be discussed. Since the last meeting, two weeks ago, 12 Northwest side theatres have switched from double to triple features. Jack Kirsch, president, hopes to have this situation remedied within a short time, if he can get the participating exhibitors together.

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DAILY
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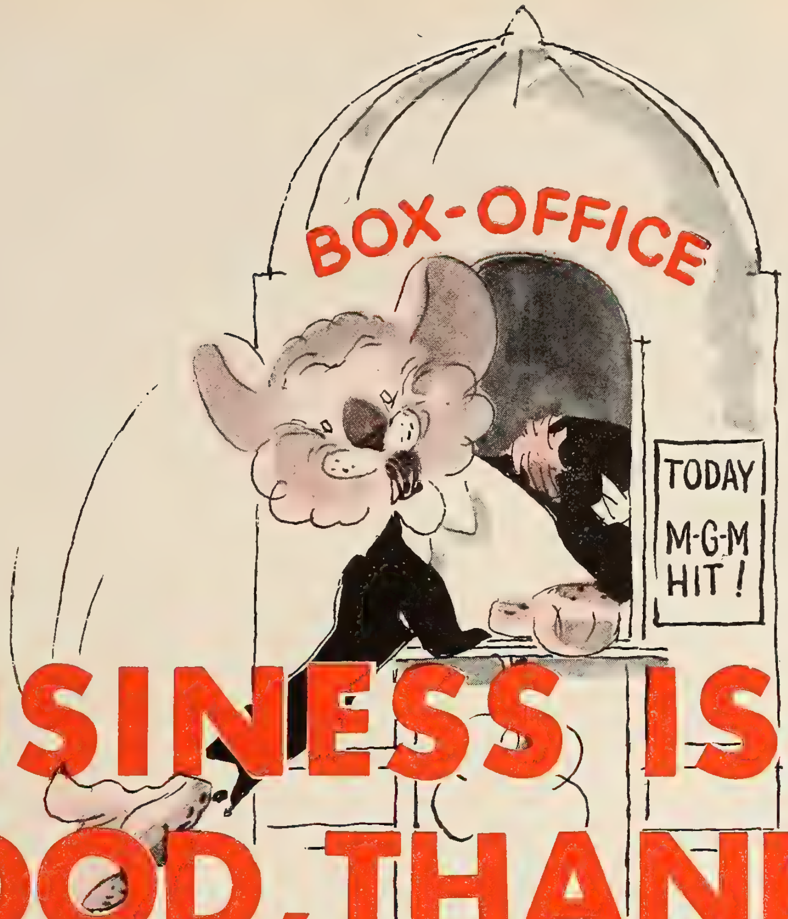


"BUSINESS IS VERY GOOD, THANK YOU!"

PREVIEW OF CLARK'S NEW PICTURE!

Raves! Just raves! Fox Theatre, Pomona, rocks audience with comedy and thrills of Clark Gable, Rosalind Russell in "They Met in Bombay."

"ZIEGFELD GIRL" SETS RECORD FOR HOLD-OVERS!

Three weeks at N. Y., Chicago, Frisco, Detroit, Buffalo, Oakland, Seattle, Denver, Worcester, Louisville. Two weeks in dozens of other spots!

26 CITIES HOLD OVER "LOVE CRAZY"!

2nd week for Bill Powell, Myrna Loy funniest film! Boston, 'Frisco, Milwaukee, Buffalo, Minneapolis, Atlanta, Denver, Norfolk, St. Louis, Los Angeles, Cleveland, Detroit, Pittsburgh and 13 more! Just the start.

JOAN'S 3 WEEKS AT CAPITOL, N. Y.

'A Woman's Face' (Joan Crawford, Melvyn Douglas) chalks up 3 big weeks at Capitol. 2 weeks Hartford, Pittsburgh, Detroit, Denver, Cleveland, Worcester, San Francisco, Chicago, etc.

WOW! MARX COMEDY IS A HONEY!

At Huntington Park, Calif., preview audience rolled in the aisles at first showing of "The Big Store," big new Marx Bros. musical comedy with Tony Martin, romantic singing star, gorgeous gals, and song hits!

"BILLY THE KID" OPENINGS SENSATIONAL! HELD OVER!

Terrific business as Detroit, Buffalo, San Francisco, Memphis start off Big with Robert Taylor's great outdoor Technicolor production. Topping the Biggest!

Heineman Is 'U' Assistant Sales Chief

(Continued from page 1)

Universal. O'Connor also was appointed executive assistant to Nate J. Blumberg, Universal president, as forecast by MOTION PICTURE DAILY yesterday.

The board approved three-year contracts for O'Connor and Meyers. Both will assume their new posts at the home office today.

McCarthy Heads South, Canada

F. J. A. McCarthy, who has been Eastern sales manager, was appointed Southern and Canadian sales manager, heading a newly created division. A successor to Heineman as Western sales manager will be appointed by Scully later.

O'Connor's appointment will make it possible for Blumberg to spend more of his time at the studio and, accordingly, he will leave with his family for the Coast by train on Friday to remain until Fall.

In announcing O'Connor's appointment Blumberg said it is "in line with the company's well-known policy of maintaining a close exhibitor association. O'Connor will bring the exhibitor's viewpoint into distribution—a viewpoint Universal has always found extremely valuable in all of our operations."

Blumberg and O'Connor were associated in RKO theatre operation for many years and when Blumberg became Universal president in 1938, O'Connor was appointed his successor at RKO.

Scully and Heineman will leave for the Coast tomorrow with Spyros Skouras to confer with Charles Skouras on a new season film deal with Fox West Coast Theatres.

Branches Under Meyers

The Universal branches which will be under Meyers' supervision in his new capacity as Eastern sales manager are: Boston, New Haven, Buffalo, New York, Philadelphia, Washington, Albany, Cleveland and Pittsburgh. McCarthy's new division includes the following branches: Atlanta, Charlotte, Dallas, New Orleans, Oklahoma City, Memphis, Cincinnati, Indianapolis, St. Louis and the Canadian offices, Calgary, Montreal, St. Johns, Toronto, Vancouver and Winnipeg.

In the Western division will be the following branches: Chicago, Detroit, Milwaukee, Minneapolis, Kansas City, Omaha, Des Moines, Denver, Salt Lake City, Los Angeles, Portland, Seattle and San Francisco.

"There will be other appointments and advancements necessitated by the new setup," Scully said, "and these will be announced shortly. We feel certain that this realignment will greatly increase the efficiency and effectiveness of the sales department in meeting the demands of Universal's continued growth and expansion."

Let Ind. House Contracts

EVANSVILLE, IND., June 3.—Jesse Fine of Premier Theatres has let contracts for construction of the new $50,000 Franklin here.

Settle Tarkington Case Against W.B.

Settlement of the test suit brought by Booth Tarkington against Warners for $100,000 damages and an injunction will be filed in the U. S. District Court here within the next few days, it was learned yesterday from attorneys. Terms of the settlement will grant to Warners the right to produce films based on Tarkington's "Penrod" stories. Tarkington will receive a cash payment as part of the settlement.

The suit was brought because Tarkington claimed that Warners had appropriated his literary creation, "Penrod," by producing the picture, "Penrod and His Twin Brother," after making "Penrod and Sam." Warners had counterclaimed for $18,500 on the ground that it had a contract with Tarkington which entitled it to film a large number of the latter's stories.

Many film and radio writers had been looking to the suit for a legal decision on the ownership of the rights to the continued use of a character for a series of pictures or radio programs all based on the same central character. Authors contended that they were entitled to further payments, while producers believed that the purchase of the original story entitled them to make any further use of the characters or plot.

2,000 Film Shows to British Army in May

LONDON, June 3.—More than 2,000 recreational film shows were given last month, 150 programs booked with the cooperation of the film industry, and more than 60 films were sponsored by the production section, according to the first report of the Army Council on the functioning of the War Office films plan.

The report notes difficulties in training personnel and obtaining equipment, and indicates that the entire organization is being overhauled and revised.

The plan now aims at the production of instructional films and the training of personnel, as well as at the use of films in instruction and education through the employment of 400 mobile and portable projectors, as originally planned. Close to £500,000 (approximately $2,000,000) already has been provided for the operation of the plan.

Zipkin President of N.H. Exchange Union

NEW HAVEN, June 3.—Samuel Zipkin, of Universal, was reelected president of Local B-41 of the Exchange Employes Union at the annual election meeting held at the Hotel Garde last night.

Other officers elected are: Robert Hoffman, reelected, and Jerry Massimino, vice-presidents; Jack Mullen, treasurer; James Mahan, secretary; George Somma, sergeant-at-arms. The executive board will include all officers, Henry Bruenig and Fay Spidoni.

Close Cincinnati Grand

COLUMBUS, O., June 3.—The RKO Grand, playing second run and moveover weeks, has closed for the Summer.

Clean Sweep

Buffalo, June 3.—The Army has virtually absorbed the staff of the Embassy Theatre here. Phil Levine and Edward H. Altman, the house projectionists, have joined the Army, and two weeks ago, all four of the theatre's ushers were drafted.

MPTOA to Hear Rodgers, Golden

(Continued from page 1)

cepting invitations to attend or address the meeting.

Among the latter is Postmaster General Frank C. Walker, who is an MPTOA director and the organization's former general counsel. Sidney R. Kent and Will H. Hays also have been obliged to decline invitations to the meeting.

Other speakers will be added to the list at the end of the week, when Ed Kuykendall, MPTOA president, is scheduled to arrive in Hollywood to make final convention arrangements with Robert N. Poole, executive secretary of the Pacific Coast Conference of Independent Theatre Owners, which will be host to the convention.

Final Preparations Being Made on Coast

LOS ANGELES, June 3.—H. V. (Rotus) Harvey of San Francisco, general chairman of the MPTOA convention, is due here Thursday to make final preparations with Ed Kuykendall, president, who arrives Friday, and others.

Meantime, Robert H. Poole, executive secretary and general chairman of the PCCITO convention, which will be the MPTOA host, is making final arrangements for his group's business sessions and social events, the latter to be participated in by both organizations. Studio publicity directors meet tomorrow to set details of the entertainment program.

Conn. Drive-In Not Under Building Code

MIDDLETOWN, Conn., June 3.—The Connecticut Supreme Court has ruled in the matter of Middlesex Theatre, Inc., et al against the Commissioner of State Police, Edward J. Hickey, et al, that there was no error in the opinion of the lower County Court that an open-air theatre of 300 seats is not a building and is not subject to the provisions of the Building Code. The case was brought with reference to the operation by Sal Adorno of an open-air theatre last year.

DeMille Is Honored By 3 Southern Cities

Three Southern cities on Monday observed "Cecil B. DeMille Day" in tribute to the Paramount producer, it was reported yesterday by Paramount. The observance was proclaimed by Mayors Henry W. Lockwood of Charleston, S. C., and Willard M. Albury of Key West, Fla., where location work on DeMille's "Reap the Wild Wind" is being done, and Mayor Ralph H. Hodges of Washington, N. C., where the producer lived in his boyhood.

$26,430 Is Pledged For Jewish Appeal At Luncheon Meet

Forty film industry leaders pledged a total of $26,430 at a luncheon meeting of the Amusement Industry Division of the United Jewish Appeal yesterday at the Hotel Edison. David Bernstein, co-chairman of the [illegible] with Barney Balaban and [illegible] Albert Warner, presided.

Moses A. Leavitt, secretary of the Joint Distribution Committee, one of the organizations aided by the United Jewish Appeal, was the chief speaker at the luncheon. He described the work of his committee, and outlined the programs of the United Palestine Appeal and the National Refugee Service, the other two agencies included in the appeal. It was decided to hold an artists' and musicians' luncheon in the near future, the date to be announced.

Present at the luncheon, in addition to chairmen Bernstein and Balaban, were: Leopold Friedman, Marvin Schenck, Herman Robbins, Joseph Vogel, Max A. Cohen, Sam Rinzler, Sam Shain, Harry Buxbaum, William Sussman, Bert Lebhar, Nate Spingold, Gene Picker, Charles Sonin, Max Rudnick, Arthur Israel, William Friedlander, Harry Kalcheim, Hyman Rachmil, Joe Lee, Frank Mayer, William Moses, Leon Goldberg and others.

Defense Projects Boost Cuba Gross

HAVANA, June 3.—The employment of more than 4,500 men by the Frederick Snarex Corp., engaged in defense construction at Caimanera, has resulted in a 75 per cent increase in business at the Encanto Theatre, only film house at Caimanera.

Four houses at Guantanamo, where extensive harbor work is going on, with thousands employed, report grosses increased as much as 85 per cent.

Morris Goodman, vice-president in charge of foreign distribution for Republic, is in Havana, in the course of a tour of Latin America.

Maria M. Garrett, who handles foreign publicity for Warners, is due here this week.

Havana Rotary Gives Trophy to Paramount

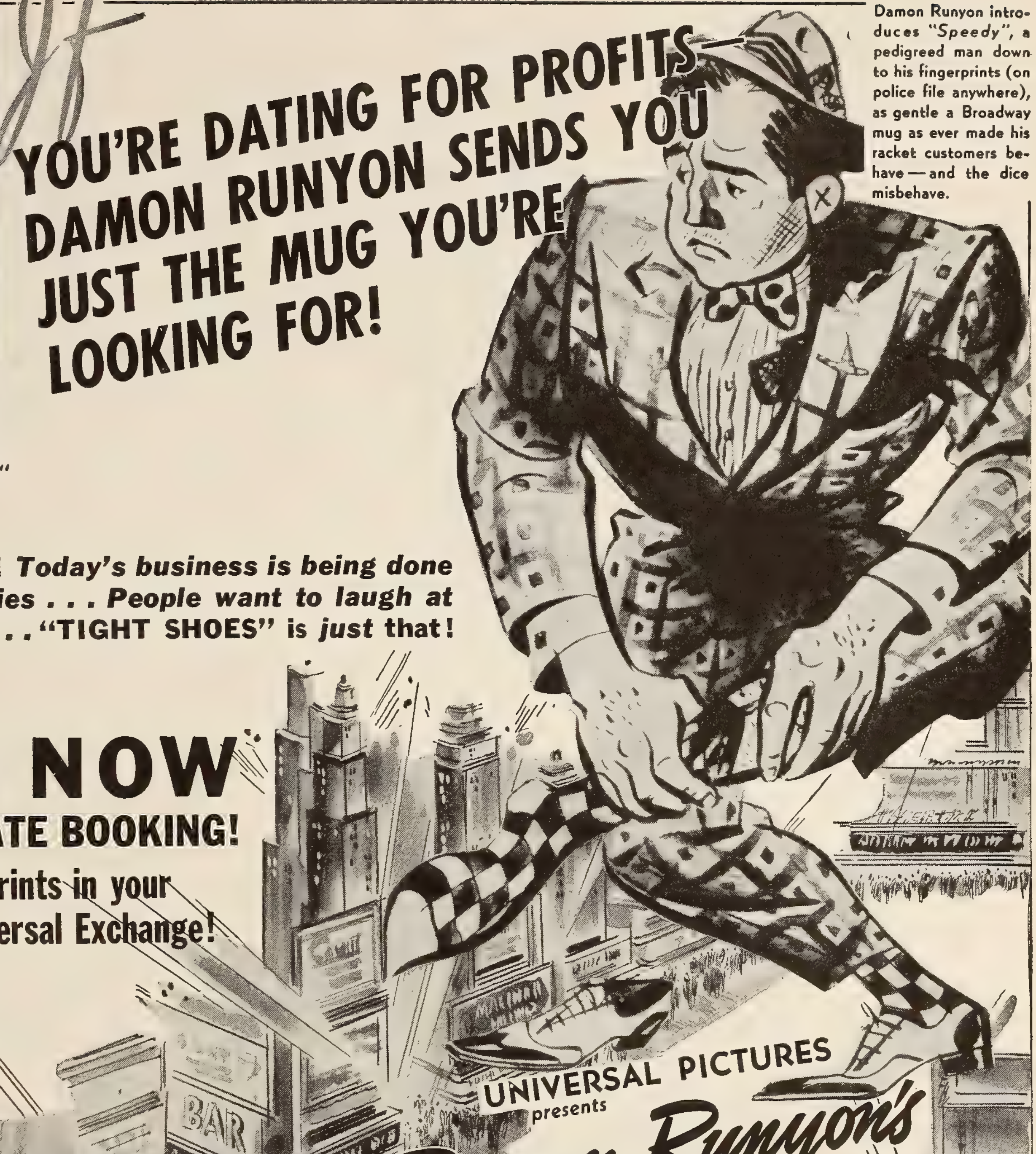
The Rotary Club of Havana, Cuba, at a luncheon tomorrow will present to Paramount a trophy "signalizing Paramount's practical gesture of friendship and goodwill between the two countries represented in the production of 'The Ghost Breakers,'" which has a Latin American setting, it was reported yesterday by the company. The trophy will be sent by the Havana Rotary to the Hollywood Rotary which will present it to a studio official at a special luncheon.

Phila. Aldine Closes

PHILADELPHIA, June 3.—The only Summer closing in the downtown district is the seasonal closing of Warners' Aldine, first run house which lacks air conditioning. The house, show case for United Artists product here, will reopen early in the Fall.

Written by DAMON RUNYON whose "Tight Shoes" follows a grand list of box-office pictures, which includes "Little Miss Marker", "A Slight Case of Murder" and "Lady for a Day"

If YOU'RE DATING FOR PROFITS— DAMON RUNYON SENDS YOU JUST THE MUG YOU'RE LOOKING FOR!



Damon Runyon introduces *"Speedy"*, a pedigreed man down to his fingerprints (on police file anywhere), as gentle a Broadway mug as ever made his racket customers behave — and the dice misbehave.

MR. EXHIBITOR! ***Today's business is being done by action-comedies . . . People want to laugh at slam-bang fun! . . .*** **"TIGHT SHOES"** ***is just that!***

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SAMUEL S. HINDS
SHEMP HOWARD

Screenplay by Leonard Spigelgass and Art Arthur
Based on an Original Story by Damon Runyon
Directed by Albert S. Rogell

A MAYFAIR PRODUCTION

'Serenade' Is Philadelphia's Lead, $16,500

PHILADELPHIA, June 3.—In a week marked by two patriotic rallies, the President's radio address, closing days of the Ringling circus, a heat wave and the seasonal holiday exodus to seashore points, the downtown houses fared much better than the neighborhood houses. Best business was registered by "Penny Serenade" at the Boyd and "I Wanted Wings" at the Fox, each bringing in $16,500.

Estimated receipts for the week ended May 28-30:

"Topper Returns" (U.A.)
ALDINE—(1,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $4,500. (Average, $9,000)
"Ziegfeld Girl" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 3rd week, 2nd run. Gross: $2,200. (Average, $2,600)
"Penny Serenade" (Col.)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $16,500. (Average, $13,000)
"Adam Had Four Sons" (Col.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Victor McLaglen, Al Grener, Ralph Edwards' "Truth and Consequences" with Jack Farnell and Herb Moss, Allen & Kent, and Lester Cole and his Six Hollywood Debutantes. Gross: $18,000. (Average, $14,000)
"I Wanted Wings" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $16,500. (Average, $13,000)
"The Great American Broadcast" (20th-Fox)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $3,000. (Average, $3,000)
"That Hamilton Woman" (W.B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,200. (Average, $4,500)
"Affectionately Yours" (W.B.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $10,000. (Average, $14,000)
"The Penalty" (M-G-M)
STANTON—(1,700) (35c-46c-57c) 6 days. Gross: $4,000. (Average, $4,500)

'Crazy' at $11,500; Cincinnati Is Dull

CINCINNATI, June 3.—"Love Crazy," which drew $11,500 at the RKO Palace, was the only house to turn in an above average figure at regular admissions. "Ziegfeld Girl" had $3,600 on a third moveover week at the RKO Lyric. The weather was very hot.

Estimated receipts for the week ending May 28-31:

"A Woman's Face" (M-G-M)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $10,000. (Average, $12,000)
"Love Crazy" (M-G-M)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $11,500. (Average, $10,000)
"Fantasia" (RKO)
RKO SHUBERT—(2,150) (50c-75c-$1-$1.50) 7 days. Gross: $9,200. (Average, at 33c-40c-50c, $5,000)
"Great American Broadcast" (20th-Fox)
RKO CAPITOL — (2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $2,800. (Average, $5,500)
"Affectionately Yours" (W.B.)
RKO GRAND—(1,450) (33c-40c-50c) 7 days. Gross: $2,600. (Average, $5,000)
"Ziegfeld Girl" (M-G-M)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $3,600. (Average, $4,500)
"Singing Hills" (Rep.)
"Mr. District Attorney" (Rep.)
RKO GRAND—(1,000) (15c-28c) 4 days. Gross: $1,000. (Average, $1,200)
"Strange Alibi" (Rep.)
"South of Panama" (P.R.C.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"That Hamilton Woman" (U.A.)
KEITH'S—(1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $3,000. (Average, $5,000)

Vila in Para. Film

HOLLYWOOD, June 3. — Paramount will star Alberto Vila, South American actor, in "The Gentleman from Buenos Aires," a musical.

Critics' Quotes . . .

"MAJOR BARBARA" (Pascal-United Artists)

There are many laughs and much entertainment, furnished by colorful characters, and what they have to say as devised by Shaw.—*Edwin Schallert, Los Angeles Times.*

Far different than the type of movies we are accustomed to, but Producer-Director Pascal has hewed enough to the box-office line to make it entertainment for those who made the turnstiles twirl on "Pygmalion."—*W. E. Oliver, Los Angeles Evening Herald and Express.*

Probably a good deal funnier than Shaw first conceived it to be, Pascal has given full scope to every comic possibility, with the aid of Britain's top stars.—*Virginia Wright, Los Angeles News.*

The film has been given a fine and sparkling polish, and one would think every player in it had been having the time of his life.—*John Mosher, The New Yorker.*

"Barbara" is not so amusing a story as "Pygmalion," but is studded with true Shavian wit and presents in the Shavian tradition the author's circumlocutionary arguments against poverty and war.—*Kate Cameron, New York News.*

A double-barrelled Shavian satire on well-meaning idealism. . . . Photography, direction and scenic background are top-notch.—*Lee Mortimer, New York Mirror.*

If one is inclined to pay attention and listen, to concentrate, he'll be abundantly rewarded.—*Cecelia Ager, PM (New York).*

To call it a manifest triumph would be arrant stinginess of words. . . . It is, in short, a more triumphant picture than any the British have yet sent across.—*Bosley Crowther, New York Times.*

"A WOMAN'S FACE" (M-G-M)

It has greater audience appeal than any other film Miss Crawford has had in the immediate past.—*Corbin Patrick, Indianapolis Star.*

All that addicts of adult, slick melodrama could hope for. . . . The story is well off the beaten track and a capable supporting cast, in addition to the fine direction, helps.—*Herbert Kenney, Jr., Indianapolis News.*

One of the too few really good films of the current film season. . . . A brooding, compelling horror tale.—*Providence Journal.*

A remarkable, unusual photoplay, a credit to the producing studio (M-G-M), the director (George Cukor) and the supporting cast.—*Donald Kirkley, Baltimore Sun.*

The film is vibrant with dramatic action and suspense.—*Kate Cameron, New York News.*

As melodrama, sheer and simple, the story behind Anna Holm's murder trial is often superbly effective, but when it attempts to become a study of emotional anguish it merely betrays the essential hokum of which the film is constructed.—*Bosley Crowther, New York Times.*

"BLOOD AND SAND" (20th Century-Fox)

Bears little resemblance to the film which once starred Valentino. . . . In pictorial beauty it is estimably superior, but the original mood of passionate tragedy is missing here.—*Virginia Wright, Los Angeles News.*

One of the very finest pictures that has come to the screen in many a long day.—*Dorothy Manners, Los Angeles Times.*

"Blood and Sand" may well be nominated the season's most visually exciting motion picture.—*Carl Combs, Hollywood Citizen-News.*

The sets are magnificent, the Technicolor photography is splendid and Rouben Mamoulian's direction catches the spirit of Ibanez' tale. . . . However, in case you are wondering, Tyrone Power is no Rudolph Valentino.—*Lee Mortimer, New York Mirror.*

A thorough, extravagant, always glittering and sometimes persuasive romantic screen adventure.—*Howard Barnes, New York Herald Tribune.*

'Privates' at $7,800 Holds Toronto Pace

TORONTO, June 3.—"Buck Privates" continued to hold the spotlight with an eighth week at Shea's, with the third second feature, the take being $7,800. The week's grosses were not helped by a legal holiday which served to stave off the reaction of the new Federal war tax.

Estimated receipts for the week ending May 31:

"The Great American Broadcast" (20th-Fox)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $8,900. (Average, $9,000)
"Pot o' Gold" (U.A.)
"The People vs. Dr. Kildare" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days. Gross: $8,400. (Average, $9,000)
"Buck Privates" (Univ.)
"They Met in Argentina" (RKO)
SHEA'S—(2,663) (18c-30c-48c-60c) 6 days, 8th week. Gross: $7,800. (Average, $7,500)
"Nice Girl?" (Univ.)
"Mr. Dynamite" (Univ.)
TIVOLI — (1,434) (12c-30c-48c) 6 days. Gross: $3,500. (Average, $3,900)
"Meet John Doe" (W.B.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days, 2nd week. Gross: $8,500. (Average, $9,000)

'Wings' Is Buffalo Winner at $11,500

BUFFALO, June 3.—"I Wanted Wings" and "The Nurse's Secret" were best in a comparatively dull week here with $11,500 at the Great Lakes. Chief competition were ball games and opening of the shore season.

Estimated receipts for the week ending May 31:

"Love Crazy" (M-G-M)
"For Beauty's Sake" (20th-Fox)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $10,900. (Average, $12,000)
"I Wanted Wings" (Para.)
"The Nurse's Secret" (W.B.)
GREAT LAKES—(3,000) (30c-55c) 7 days. Gross: $11,500. (Average, $7,500)
"Meet John Doe" (W.B.)
"Knockout" (W.B.)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $6,800)
"Devil Dogs of the Air" (W.B.)
"Singapore Woman" (W.B.)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $3,900. (Average, $7,500)
"They Dare Not Love" (Col.)
"Ellery Queen's Penthouse Mystery" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $5,100. (Average, $6,200)

'Love Crazy' Frisco's Best With $12,000

SAN FRANCISCO, June 3.—"Love Crazy," paired with "The People vs. Doctor Kildare" drew $12,000 at the Paramount. "That Uncertain [illegible]ing" took $9,000 at the United Ar[illegible]

Estimated receipts for the week ending May 27-June 1:

"Little Men" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $12,500. (Average, $15,000)
"That Uncertain Feeling" (U.A.)
UNITED ARTISTS — (1,200) (25c-30c-40c-50c) 7 days. Gross: $9,000. (Average, $8,000)
"They Dare Not Love" (Col.)
"Her First Beau" (Col.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $7,700. (Average, $8,000)
"The Great American Broadcast" (20th-Fox)
"Fight from Destiny" (W.B.)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week (moved over from Paramount). Gross: $5,200. (Average, $6,000)
"Love Crazy" (M-G-M)
"People vs. Doctor Kildare" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $12,000. (Average, $11,000)
"I Wanted Wings" (Para.)
"Cowboy and the Blonde" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $13,900. (Average, $16,000)
"A Woman's Face" (M-G-M)
"Washington Melodrama" (M-G-M)
WARFIELD — (2,680) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,500. (Average, $12,000)
"Pepe le Moko" (Mayer-Burstyn)
CLAY — (400) (15c-35c-45c) 7 days, 3rd week. Gross: $1,100. (Average, $1,000)
"Citizen Kane" (RKO)
GEARY — (1,288) (55c-75c-$1.10-$1.65) 7 days. Gross: $9,800. (Average, $10,000)

'Face' Providence Leader at $12,000

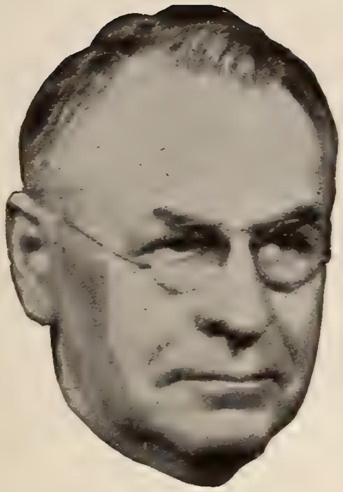
PROVIDENCE, June 3.—"A Woman's Face" and "I'll Wait for You," paired at Loew's State, led with $12,000. The Metropolitan reported $7,900 for its stage-screen show on which "Red Head" was the film feature.

Estimated receipts for the week ending May 28-29:

"A Woman's Face" (M-G-M)
"I'll Wait For You" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $12,000. (Average, $11,000)
"Affectionately Yours" (W. B.)
"Singapore Woman" (W. B.)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $6,800. (Average, $7,000)
"They Dare Not Love" (Col.)
"Lady from Louisiana" (Rep.)
STRAND — (2,200) (28c-39c-50c) 7 days. Gross: $4,000. (Average, $6,000)
"Red Head" (Mono)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Jimmy Dorsey and orchestra; Helen O'Connell, Bob Eberly, Buddy Schutz and Bill Bailey. Gross: $7,900. (Average, $4,700)
"City of Missing Girls" (Select)
"Sheriff of Tombstone" (Rep.)
FAY'S—(1,800) (15c-25c-35c) 7 days. Gross: $2,100. (Average, $2,800)
"Ziegfeld Girl" (M-G-M)
"Missing Ten Days" (Col.)
CARLTON—(1,526) (28c-39c-50c) 7 days, 3rd week. Gross: $2.800. (Average, $3,500)
"Magic In Music" (Para.) (3 days)
"The Knockout" (W.B.) (3 days)
"Road to Zanzibar" (Para.) (4 days)
'The Penalty" (M-G-M) 4 days)
EMPIRE—(1,200) (20c-28c) 2nd run. Gross: $1,700. Average, $1,700)

W. B. Crew at Fort Knox

A production crew from the Warner studio has arrived at Fort Knox, Ky., to shoot sequences for the short subject, "The Tanks Are Coming." The group includes Breezy Eason, director, and Frank Wilcox, George Tobias, Byron Barr and William Justice of the cast.



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Protection of Free Speech Is Aim of FCC

(*Continued from page* 1)

six national networks could be provided for, he explained, but admitted that there is little likelihood of that number being organized.

The regulations will neither disrupt the networks, as charged by broadcasters, nor prove a panacea for the ills of the industry, Fly asserted.

Sen. Wallace H. White, who introduced the resolution, asserted that Fly yesterday had misinterpreted a speech White made in 1937. White insisted that he had not urged any particular action by the FCC. Fly, however, reiterated that Congress had provided for special regulations with regard to network broadcasting and asserted that "now Congress must either recede from its position of anti-monopoly or it must support the actions of the commission it has created."

Charges Pressure on FCC

The FCC has been subject to more political pressure than probably any other Federal agency, Fly said. "In fact," he added, "we have never been subject to such an amount of pressure as we are subject to at the present time, particularly from a few scandal mongers within the industry."

Continuing his explanation of the monopoly regulations, Fly said the "exclusivity" clause in network contracts was adopted in an effort to eliminate competition, first by CBS, then by NBC and finally, last year, by MBS. It was pointed out by White, however, that despite the adoption of the clause by the two senior networks, a third network was successfully organized. At the same time, he suggested, the FCC has the authority to deny licenses and reallocate station facilities as well as to grant licenses and increased facilities and should be able to deal with monopolistic situations without recourse to the new regulations.

Committee Chairman Burton K. Wheeler also expressed displeasure with some features of the new rules, particularly the short time given NBC to dispose of the Blue network. Ninety days, he told Fly, "is not a fair period of time and I don't think that even you will contend that it is." Fly agreed but explained that the rule merely was tentative and subject to amendment.

Wheeler also expressed the belief that the regulations might pave the way for large advertisers to contract with individual stations. In such an event, he said, undoubtedly the largest stations would get the cream of the business.

Tobey Protests on Time

Sen. Charles W. Tobey, long a critic of the networks, protested the failure of stations to give equal time to both sides on war questions and demanded that Fly obtain from each station a detailed report of the distribution of such time, despite the fact that the commission has neither authority nor information on program material.

The hearing will be resumed tomorrow.

Off the Antenna

GENERAL ELECTRIC'S three short wave stations will be operating shortly on vastly increased power, according to R. S. Peare, manager of broadcasting. WGEA, Schenectady, now operating on 25,000 watts, and KGEI, San Francisco, now operating on 20,000, will go up to 50,000 each about July 1. WGEO, Schenectady, which now operates on 100,000 watts will have improved transmitting equipment installed about Aug. 1.

Many important innovations will be included in the new transmitters, according to Peare, among them a vacuum tube which will permit the generation of large amounts of power on very high frequencies. Rapid switching of frequencies will be possible with the new equipment, it was said. WGEA will have a 24-element type of antenna which will increase its effective signal strength by about 20 times, while WGEO and KGEI will have 12-element type antenna, increasing their strength about 10 times, it was said. As a result, KGEI will have an effective power equal to 500,000 watts while WGEO and WGEA will have 1,000,000 watts each.

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Purely Personal: *Dr. James R. Angell, NBC public service counselor, will discuss radio at the National Council of Education in Boston June 29. . . . Cecil Carmichael has been named director of public and special events of the Crosley Corp. in addition to his present duties as assistant to James D. Shouse, vice-president, and as publicity director. . . . Richard Norman, formerly with WOV, has joined W71NY as announcer. . . . Francis Garufy, formerly with WNLC, New London, Conn., has joined the WOR engineering staff. . . . Chester Clark, who handles the Sweatheart Soap newscasts on WCAE, Pittsburgh, will marry Ruth Strickland this month. . . . Mickey Rooney will be guest of Edgar Bergen over NBC-Red Sunday. On the following week Carmen Miranda will be the guest.*

• • •

Procter & Gamble Co. has renewed for an additional year eight daytime serials heard Monday through Friday over NBC-Red. The renewals are effective July 1. The programs are "Pepper Young's Family" (on behalf of Fels-Naphtha soap), "The Goldbergs" (Duz), "The O'Neills" (Ivory Flakes), "Against the Storm" (Ivory Bar and Flakes), "Vic and Sade" (Crisco), "Guiding Light" (Camay), "Road of Life" (Chipso) and "Mary Marlin" (Ivory Snow). Pedlar & Ryan is the agency for "Guiding Light," and "Road of Life," Benton & Bowles for "Mary Marlin" and Compton Advertising for the other five.

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Program News: Beginning June 23, WMCA will broadcast a half-hour program Mondays 8:30-9 P.M., each of which will be devoted to a city or town in the station's primary listening area. The show will be devoted to the municipality's role in the national defense program. If available, the mayor, the editor of the local newspaper and similar civic personages will be heard on the program. . . . R. J. Reynolds Tobacco Co. has renewed the Xavier Cugat show over 75 NBC-Red stations, for an additional year, effective July 10.

• • •

In Philadelphia: *"Aldrich Family," heard over NBC-Red, will hold its only out of the studio broadcast before the Philadelphia Forum next season. . . . Jerry Carroll, former WIP announcer, has joined the announcing staff of WPID, Petersburg, Va.*

Impressive Air Program Rallies Nation for USO

By SAM SHAIN

President Franklin D. Roosevelt last night called upon the nation to support the $10,765,000 drive of the United Service Organization for National Defense, which plans to operate clubs in defense centers for men in the service and defense workers throughout the country. His appeal was read over the radio by Paul McNutt, Federal Security Administrator, on a pickup from Los Angeles via the three major networks. The broadcast was from 10:30-11 P. M.

The first program for the fund raising campaign was an impressive and serious one. No old-fashioned oratory and no glamour personalities were on it. Instead, seven sober, serious, important gentlemen from Washington and environs were the principals—brass hats, if you will, and the program was arranged in keeping with the solemn-miened men who participated.

It was a defense talk just as any other more direct talk might have been. This one, however, was interspersed with a little music by Ray Block and narration by Bob Trout. And—the speakers were each held down to a brief two minutes or less. McNutt, easily, was the most dramatic of the group, as he read the President's message for a civilian army behind the armed forces. Next came Tom Dewey, the racket buster of New York and chairman of the USO campaign fund.

Others on the program were Admiral Harold R. Stark, Chief of Naval Operations; General George C. Marshall, Army Chief of Staff; Col. Frank Knox, Secretary of the Navy; John J. McCloy, assistant secretary of war; Walter Hoving, USO President; and Charles P. Taft, Assistant Federal Security Administrator.

This program will probably be the model for others to follow. The participants enacted what can best be described as an "illustrated talk." Each made a point on the drive for funds and the need for recreation and leisure activities for the men in the service and this was followed by a dramatic sketch illustrating this need. Charles P. Taft spoke on a pickup from Indianapolis.

Edward Longstreth, radio director for Colgate-Palmolive-Peet, who arranged the program, on short notice, can be credited for getting together something which was impressive, serious and to the point. Everything was well enacted and the program as a whole was well balanced. The speakers made Longstreth's warm, moving script, coldly logical.

One Mexican Station Has Production Unit

Mexico City, June 3.—XEQ, 50,000-watt local station operated by the Emilio Azcarraga Co., enjoys the distinction of being the only station in this country with a production department. Carlos Riveroll del Prado, who has worked for American stations, is in charge of the department.

WMCA Sets Tieup With RKO Houses

Following the announcement of a WINS deal with the Skouras circuit last week, a mutual exploitation setup has been arranged, it was disclosed yesterday, between WMCA and 48 RKO houses in metropolitan New York. The arrangement calls for a program of Hollywood news, "Mr. Hollywood," broadcast Monday through Friday 6:15-6:20 P. M.

Julius Colby, WMCA drama editor, will handle the show and programs of all RKO theatres in this area will be announced. In return the RKO houses will show a 55-foot trailer calling attention to the program and giving prominence to the WMCA slogan, "America's Leading Independent Station, First on Your Dial." There will also be displays in the lobbies with similar copy. Malcolm Kingsberg, K-A-O executive vice-president, and Donald Shaw, WMCA general manager, arranged the deal. The contract is for an indefinite term and RKO is supplying the trailers and lobby displays.

Kill Ban on Film, Air Work of Mellett Unit

WASHINGTON, June 3.—Efforts of the Senate to place a ban on any film or radio activity by the Office of Government Reports went by the board today when the House, by a vote of 178 to 126, approved a conference report eliminating such a provision from legislation making the Lowell Mellett outfit a permanent organization.

The Senate had incorporated the provision as an amendment to the Office's appropriation bill, despite assurances by Mellett and other officials that it was not engaged and did not intend to engage in any motion picture or broadcasting operations of any sort.

Opera in Cincinnati

CINCINNATI, June 3.—Although the promoters of the Summer opera, featured at the Cincinnati Zoological Gardens for the past 20 years, recently abandoned the project for this year because of insufficient funds, they now have acquired necessary finances through popular subscription, and will conduct a six-week season, beginning June 29.

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L. 49. NO. 109 NEW YORK, U. S. A., THURSDAY, JUNE 5, 1941 TEN CENTS

All-Out Drive For Showing of Defense Reels

May Name Local Heads To Speed Playoffs

Distributors are heading for an all-out drive on behalf of the nation's defense reels. In order to speed up the distribution of such films and to clear the way for more shipments, the distributors' defense committee met yesterday to devise means to make such a drive effective.

One of the methods by which it is hoped such a speed-up can be accomplished is through the appointment of local chairmen in the exchange centers whose responsibility it will be to see that the defense reels get played.

It is reported that the Government is making or has enough defense reels

(*Continued on page* 6)

First RKO 5-Block Ready for Meeting

RKO is expected to announce its first block-of-five for selling under the consent decree at the opening of the new season, at its 10th annual sales convention, scheduled for the Waldorf-Astoria Hotel here June 16-19. Among the releases is expected to be the Frank Buck film, "Jungle Cavalcade."

Approximately 300 are expected at the meeting, with division and district managers, exchange managers and all salesmen and home office representatives from the United States and Canada present, as well as home office executives. Ned E. Depinet, vice-president in charge of distribution,

(*Continued on page* 6)

Columbia 9-Month Profit at $274,765

Columbia Pictures Corp. yesterday reported aggregate net profit of $274,765 for the nine months ended March 29. The result compares with net of $341,348 for the nine months ended March 30, 1940.

Profit for the period was equal after dividend requirements on the outstanding $2.75 convertible preferred to 33 cents a share on the common stock, compared with 51 cents on the common in the like period last year.

W. B. Also Talking Deal with Capra

Hollywood, June 4.—While reports continue of pending discussions between Frank Capra and United Artists relative to his joining that firm as a producer or a producer-owner, it is learned that there have also been discussions held between Capra and Warner Bros. relative to a new deal whereby Capra will continue with Warners.

U. S. Decides Classifications Of Coast Labor

Hollywood, June 4.—Classifications of 31 disputed types of workers in film studios and changes in groups of some of 514 types already agreed upon by producers and unions with respect to the Wages and Hours Act were announced here today to go into effect June 16.

The report of Merle D. Vincent, chief of the exemption hearings section of the Wages and Hours division of the Department of Labor, as approved by Administrator Philip Fleming, recommended no formal inspection of the studios' books be made prior to June 16 to determine the status of employes with respect to possible violations of the Act's provisions.

Vincent stipulated, however, that this does not affect the right of employes to bring suit against employers under the section of law which provides that the employe, if he estab-

(*Continued on page* 6)

8 Majors Receive Allocations from Australian Money

The eight major companies yesterday received their allocations of the $2,300,000 which they are authorized to withdraw from Australia this year.

The allocations were made in Australia and each company was informed privately of its allotment here. Concurrently with the setting of the allocations, home offices reported their first remittances from Australia under the existing agreement for the year.

The allocations in most instances are understood to be approximately 28 per cent less than the companies received last year when the remittance total amounted to $3,200,000.

New York Group to MPTOA Meet Today

A New York delegation headed by George Dembow of National Screen Service is scheduled to leave for the Coast by plane tonight to attend the MPTOA convention in Los Angeles next week. W. A. Scully, Universal general sales manager, and William J. Heineman, assistant sales manager, who leave for the Coast on business tonight, will attend the convention while in Los Angeles. Spyros Skouras, also leaving for the Coast tonight, plans to attend several of the convention sessions.

Francis S. Harmon of the MPPDA will address the convention as the representative of Will H. Hays.

Hays, who is still confined to St. Luke's Hospital, Chicago, was unable to accept the MPTOA invitation to address the convention. Harmon, who also is coordinator of the motion pic-

(*Continued on page* 6)

Trade Ready For Television Start in July

CBS Back on Air; DuMont Expands Facilities

With only four weeks remaining before the July 1 starting date for commercial television, developments in that industry are gathering momentum in preparation for the opening gun.

The CBS television transmitter returned to the air this week, it was learned yesterday. Only the video side is ready but the aural transmitter will be ready shortly, it was said.

Field tests are being conducted with the view of a 15-hour weekly

(*Continued on page* 10)

Rialto Screen Ready

The Scophony large screen television receiver in the Rialto Theatre will be installed and ready for operation by Saturday, Arthur Mayer, managing director, said yesterday. Formal opening will be delayed until an event of outstanding interest can be obtained.

Scully, Gomersall Weigh Western Post

W. A. Scully, Universal vice-president and general sales manager, has conferred with E. T. Gomersall, Universal district manager at Chicago, who is now at the home office, in connection with the appointment of a Western division manager to succeed William J. Heineman, who has been made assistant general sales manager.

Gomersall has been with Universal for the last 11 years. No final decision has been made by Scully as a result of the conferences, so far as could be learned yesterday, but indications are for an early appointment.

Bands on Radio Ruled in Interstate Commerce, Subject to Wage Laws

Name bands engaged in radio broadcasts and the manufacturing of records are engaged in interstate commerce and subject to the Federal Wage and Hour laws, N. Y. Supreme Court Justice Samuel I. Rosenman ruled yesterday in awarding damages of $1,947 against Sammy Kaye. Suit had been filed by Norman E. Reck, former secretary and general assistant to Kaye, who had sued for $4,215, claiming that sum was due to him for overtime during the period of June 5 to Sept. 28, 1939.

The court held that the plaintiff as Kaye's assistant was "performing work so closely related to interstate commerce and communication as to be practically a part of it." The interstate character of the defendant's activities, the court stated, was fixed by regular radio broadcasts on interstate hookups, tours by the band from state to state and the manufacturing of records which are shipped from one state to another.

In Today's Issue

"The Reluctant Dragon" is reviewed from Hollywood on Page 3; "Thieves Fall Out," Page 6. Short subject reviews, Page 9. Hollywood production news, Page 6. Key city grosses, Pages 6 and 9.

Coast Flashes

Hollywood, June 4

J. R. CRONE, for the last 10 years production manager for RKO, has resigned, being replaced by Walter Daniels, his former assistant. Argyle Nelson, assistant director, takes over Daniels' former position.

•

Joseph Moskowitz, Eastern representative of the 20th Century-Fox studio, leaves Friday by train for New York.

•

Ben Dolberg, a writer, today filed a Superior Court suit seeking $150,000 damages from Paramount and Wayne Morris, alleging plagiarism of his material in the film "Quarterback."

•

Jeffery Bernerd, production executive of Edward A. Golden's University Productions, leaves tomorrow for New York to negotiate deals for the company's "No Greater Sin."

Flint Vice-President of Eastman Kodak

ROCHESTER, June 4.—Eastman Kodak Co. board of directors today elected Charles K. Flint as vice-president, and appointed Edward S. Farrow as production manager. William S. Vaughn succeeds Farrow as assistant production manager. Flint is general manager of Kodak Park.

Buys 2 in Manhattan

Joseph Kingsley has taken over two theatres in Manhattan, formerly operated by Nat Harlbran, the Beverly at 823 Third Ave., and the Clifton, 1034 Second Ave. Ben Thanhauser was the agent in the deal.

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Airlines Terminal: 80 E. 42nd St.
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Hotel Pennsylvania MU-2-7300

Personal Mention

GRADWELL L. SEARS, general sales manager of Warners, leaves today by American Airlines for the studio.

•

MRS. N. J. BLUMBERG and son, LEWIS, left for the Coast last night by train.

•

E. K. O'SHEA, M-G-M Central division manager, is in Kansas City.

•

JAMES E. COSTON, Warner Theatres zone manager, has returned to his Chicago headquarters from New York.

•

EDMUND GOLDMAN, Columbia manager for the Philippines, arrived here yesterday for a visit of several weeks.

•

FRANK NEWMAN, manager of the St. Francis in San Francisco, is under treatment for an illness.

•

IRVING MARTIN, publicist at Warners' Stanley Theatre, Baltimore, has moved to his Summer home near Middle River, Md.

•

EDWARD L. CAHN has gone to Washington.

•

JAMES MARTIN and WILLIAM PORTER, Spokane high school football stars, have joined the staff of the State Theatre there.

MARY PICKFORD left for the Coast last night. She will participate in MPTOA convention activities there next week.

•

ARTHUR W. KELLY is expected from the Coast by plane today after having been grounded in the Midwest by bad flying weather yesterday.

•

HERMAN ADDISON, manager of Schine's Oneonta in Oneonta, N. Y., is visiting here.

•

HARDIE MEAKIN, II, son of the manager of the RKO Keith Theatre in Washington, is recovering at Doctor's Hospital there from injuries received in a sandlot baseball game.

•

TOBY JOYCE, former Warner publicity representative, has returned to Baltimore from New York.

•

RUTH F. SHAPIRO, daughter of N. M. SHAPIRO, partner in the Fineman-Shapiro Circuit, Pittsburgh, will be married June 15 to DAVID HADBURG, manager of the Hazelwood Theatre, Pittsburgh.

•

EARL PODOLNICK, manager of the State Theatre, Austin, Tex., has become a member of the local Rotary Club.

Illinois House Kills Amusement Tax Bill

SPRINGFIELD, Ill., June 4.—The Revenue Committee of the Illinois House has killed the Powell bill, which would have levied a state tax of 10 per cent on amusement admissions. The committee postponed action on the measure until June 30, after a subcommittee returned it without recommendation. Postponement is tantamount to defeat, since the legislature will adjourn June 30.

The Sandquist bill, limiting film programs to 135 minutes unless there is a 15-minute intermission every hour, was advanced to third reading in the House. It may be voted upon later this week.

Unions Ask RKO to Drop Disney Films

HOLLYWOOD, June 4.—A union delegation headed by Aubrey Blair, AFL organizer, today officially asked RKO to stop distributing Walt Disney films until the strike of Screen Cartoonists Local 852 is settled.

Meeting with Sid Rogell, RKO studio manager, were, in addition to Blair, Herbert Sorrell of the painters and representatives of several IATSE crafts. Rogell asked the committee to await the arrival here tomorrow of George J. Schaefer, RKO president, for an answer.

Doob in Evansville

Oscar A. Doob, Loew theatres director of advertising and publicity, flew to Evansville, Ind., yesterday, where the circuit has two houses. He was accompanied by Rex Williams, Elkhart, Ind., theatre man, who will handle a promotion assignment in Evansville.

U.A.'s 'Wham' Girl Stunt Gets Attention

United Artists' use of Marjorie Woodworth for publicity purposes in connection with "Broadway Limited," new Hal Roach film, attracted editorial comment yesterday in the New York *Journal-American.* The girl's escapade as a guest at Harvard occupied the column, "In the News." The Boston *Post* used a photograph of the performer seated on the lap of the John Harvard statue at Harvard University, as the basis of an institutional advertisement in *Editor & Publisher.*

Monroe Greenthal is advertising and publicity director of United Artists.

Will Arraign Bioff Here on June 20

LOS ANGELES, June 4.—His bond raised to $50,000 from $25,000, William Bioff, IATSE leader indicted on extortion charges today agreed to present himself in New York on June 20 for arraignment. Bioff appeared before U. S. Commissioner David Head several days ago and waived removal proceedings. George E. Browne, indicted on the same charges, is scheduled to be arraigned in New York with Bioff.

Summer Theatre Opens

NEWARK, June 4.—The Maplewood Theatre, former film house, has opened a season of Summer stock with the Helen Hayes and Maurice Evans production of "Twelfth Night." The season will continue for 24 weeks.

'Straw Hat' in Rochester

ROCHESTER, N. Y., June 4.—First of the local "straw hat" theatres gets under way next Thursday, when the Rochester Summer Theatre opens under the direction of Leonard Altobell.

Rainstorm Wrecks Theatre in Kansas

Burlington, Kan., June 4.—The Plaza Theatre here collapsed as a result of rainstorms that caused near-floods in sections of Southeastern Kansas.

The alertness and quick action of the theatre manager, Alden Knapp, prevented injury to theatre patrons. He had been watching the downpour and when it became menacing warned the patrons. All left the theatre. Fifteen minutes later the building collapsed, the roof resting on the seats. Several other buildings in the neighborhood were damaged. It is understood the theatre will be rebuilt at once.

L. A. Jury Seeks Union's $80,000

LOS ANGELES, June 4.—What happened to some $80,000 in bank deposits when IATSE officers took over and dissolved Studio Technicians Local 37 several years ago is one of the objects of the present Los Angeles County grand jury investigation of IATSE affairs in Hollywood, it was learned today.

The jurors today postponed the calling of witnesses until July 9 because of the unavailability of some International officers. Harold V. Smith, Sound Technicians Local 695 representative, and Floyd Billingsley, International vice-president, who were ready to testify under subpoena, were dismissed until the later date.

Also to come under official scrutiny will be the testimony given in civil litigation which followed the International's takeover of the local.

Pass Ticket Price Measure in Texas

AUSTIN, Tex., June 4.—Only the Governor's signature is necessary to make it illegal to sell tickets to sports events or any entertainment for more money than the price printed on the ticket. The Texas House and Senate have already passed the bill. For $250, a broker's license may be purchased, which is provided for in the bill.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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See Clothing Ration Hitting British Films

LONDON, June 4.—Despite the absence of any official regulations, considerable anxiety is already felt in the British film industry over the effect on it of the application of the new government order on the rationing of clothing.

Production interests fear restrictions in the costuming of pictures, and exhibitors are uncertain as to the limitations on uniforms for usherettes and other uniformed members of the theatre staff.

The official attitude is that until the regulations are published in full, it would be impracticable to attempt to interpret the regulations too closely in detail. Thus far, information concerning the new clothing regulations have been limited to press notices.

An unofficial reading of the order suggests that theatre employes may be compelled to consider their working uniforms as personal working clothes and surrender their personal coupons, but it is considered possible that the Board of Trade may issue licenses for special industries. Similar special licenses are issued restaurants, saloons, cafes and similar establishments now by the Ministry of Food.

American interests here already have approached the Board of Trade for an interpretation of the rulings, and have been advised that pending publication of the complete regulations, an exact ruling is difficult.

Mexican Wage Fight Goes to Arbitration

MEXICO CITY, June 4.—The demands of the local Cinematographic Workers Union have been submitted to the Federal Board of Conciliation and Arbitration.

The demands embodied in a request for a revision of current working contracts feature increased wage terms and other benefits. Eight American companies and one Mexican company are involved in the union controversy.

The union has requested that 60 days be allowed for discussions, and union officials have indicated that they hope the union can attain its demands without the necessity of striking.

The American companies concerned are Paramount, RKO, Universal, Warners, Columbia, United Artists. M-G-M and 20th Century-Fox, all the major distributors. The Mexican company is headed by Felipe Mier, former Warner manager here.

Subpoena Officials In Crescent Action

NASHVILLE, June 4.—Subpoenas directing the secretaries of major film companies to appear with records in U. S. District court here July 7 to testify for the Government in its anti-trust suit against Crescent Amusement Co., Columbia, United Artists and Universal, were mailed to New York today for service.

Those subpoenaed were: R. W. Perkins, Warners; Austin Keough, Paramount; Leopold Friedman, Loew's; J. Miller Walker, RKO; Felix Jenkins, 20th Century-Fox; Edward C. Raftery, United Artists; Peyton Gibson, Universal, and Charles Schwartz, Columbia.

Trial of the suit is scheduled to start here July 7.

Hollywood Review

"The Reluctant Dragon"

(Disney-RKO)

Hollywood, June 4

ALTHOUGH presented under the title of a story by Kenneth Grahame, and although it tells that story ultimately in typical Disney fashion, "The Reluctant Dragon" might be more accurately titled, "A Tour of the Disney Studio," "How Cartoon Comedies Are Made," "Walt Disney Reveals His Bags of Tricks" or something in that more informative vein.

It is in fact a thorough and intimate tour of the new Disney Studios, complete with explanation of all the processes by which Donald Duck and his kind are made to move and amuse, and with the always diverting Robert Benchley making the tour, registering the amazement and asking the questions which visitors to the plant have been registering and asking down the years.

That this disclosure of Disney's trade secrets on wholesale scale is immensely interesting may not be questioned. Tricks of the trade have always fascinated its fans. Having made up his mind to expose to his ultimate consumers the processes of his craft, a decision manifestly momentous in the career of an artist of Disney's stature, the producer has contented himself with no half-way measures. His picture takes Benchley into the studio by the front door, follows him through every department from story conference to screening, shows him the mechanism and operations and explains to him how they function. It is a tour most Americans would make the trip to Burbank to experience and count the cost well spent. It would appear to follow that most Americans will relish the same experience from a seat in a theatre.

The picture opens in black and white, with Benchley persuaded by his wife to take the book, "The Reluctant Dragon," to Disney and propose that he produce it. Benchley is reluctant, but yields, is surprised to be granted an appointment to meet the producer and wanders away from the guide. Recognized in all the studio departments, he is welcomed, shown the ways of cartoon production, finally meeting Disney in a projection room just as the producer is about to screen a new picture, "The Reluctant Dragon."

In the course of his tour Benchely (and the audiences which will be watching him) visits the life class where Disney artists perfect their skill, the pigment department, the sound effects studio, the music-recording rooms, the sanctum wherein is housed the Disney multiplane camera, many another department. He stays longest in a story conference room where young men at work on a script for "Baby Weems" try it out on him from sketches pinned on the wall, this sequence standing out as the highlight of the picture and perhaps establishing a new and simplified technique for use in telling a story by means of drawings.

Some while after Benchley has started his tour of the studio the black-and-white gives way to Technicolor, a transition noticed by Benchley in an amusing way. The actual treatment of the story of "The Reluctant Dragon," placed toward the end of the picture, is the straight Disney treatment by animation, having to do with a dragon and a knight who, reluctant to fight each other, stage a pretended conflict for the benefit of the townsfolk.

It is a point for showmen to make that the studio employes whom Benchley meets on his tour and who explain their work to him are in fact the studio employes any person making the tour would meet.

Running time, 73 minutes. "G.*" ROSCOE WILLIAMS

**"G" denotes general classification.*

Reports Theatre Status

CINCINNATI, June 4.—In bankruptcy schedules filed in U. S. District Court, Harry Abrams, recently appointed receiver for Strand Enterprises, Inc., owner of the Strand Building and Strand Theatre, reported liabilities of $21,104.22 and assets valued at $4,726.36, consisting of theatre equipment, $4,394.72, and cash in bank, $331.64. The theatre is closed.

Shut Indianapolis House

INDIANAPOLIS, June 4.—The 1,100-seat Apollo closed last night. It was the third downtown house to close in the past week. Charles M. Olson, owner of the Apollo, said plans for reopening are indefinite.

Agreement Fails on New Pa. Sunday Law

HARRISBURG, June 4.—The Pennsylvania House and Senate failed to agree today on amendments to the existing state law permitting periodical local option referenda on Sunday films.

The Senate amendments to the law were more liberal than those proposed by the House. The failure to agree on amendments sends the bill back to the Senate and if that body refuses to accept it in the form in which it was passed by the House, the measure will have to be referred to a conference committee of three members of each.

U. S. to File Brief in Arbitration Appeal

WASHINGTON, June 4.—Intervention of the Department of Justice in the Ken Theatre case, which has been appealed from the Chicago arbitration board, will be confined to the filing of a brief with the appeals board setting forth the position of the Government on only one phase of the issues involved, it was said here today.

The Government's brief in the main will be an exposition of its view that an arbitrator has the right to eliminate all clearance between given theatres if he is satisfied that they are sufficiently far removed from each other as to be non-competitive.

The main ground on which the Chicago arbitrator dismissed the Ken complaint for lack of jurisdiction, however, was that under the decree he did not have the right to award a specific run prior to next Sept. 1.

It was said that the Government's intervention is in conformity with an understanding reached in the settlement of the all-industry suit that the Department would express its position on all issues involving an important construction of the consent decree. It was pointed out that since the Ken appeal is the first to reach the appeals board, it represents the first opportunity the Department has had to avail itself of its rights.

Milwaukee Clearance Hearing Postponed

MILWAUKEE, June 4.—This area's second arbitration complaint, in which Lee Macklin of New London charged the "Big Five" with imposing unreasonable clearance, was today postponed from June 11 to June 25 at the request of the respondents.

Republic Sets Deal With Florida Circuit

James R. Grainger, president of Republic, has closed a deal for the entire Republic 1941-'42 product line-up with the Sparks All-Florida Circuit, operating approximately 100 theatres in Florida, Republic announced.

Frank Rogers, general manager of the Southern circuit, now here, acted for the circuit in closing the deal, negotiations for which were started in Jacksonville by Grainger and Arthur C. Bromberg, Republic Southeastern franchise holder. Grainger left last night for Boston, planning to return Monday.

New Training Film Production Starts

HOLLYWOOD, June 4.—Darryl F. Zanuck, chairman of the Research Council of the Academy of Motion Picture Arts and Sciences, has announced the start of another War Department training film.

This film, on the subject of anti-aircraft searchlight equipment, will be made by Universal at Camp Haan, California. Harold Young is directing. Major Charles S. Stodter is acting as War Department liaison officer, assisted by Major A. M. Wilson and Captain George W. Croker of the Coast Artillery as technical advisers.

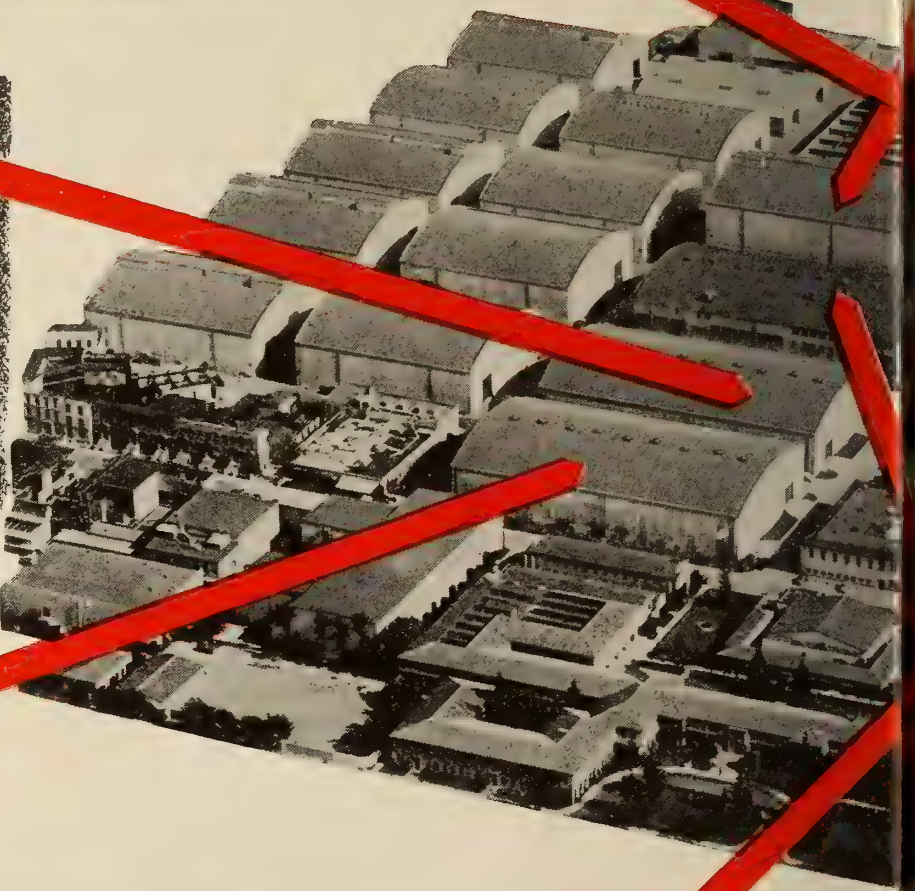
Kamen Office Moves

Kay Kamen, Ltd., representing Walt Disney Productions, has moved its office from the 17th to the 22nd floor of the RKO Building.

A Bird's-Eye View of

GARY COOPER
in Howard Hawks'
Production of
"SERGEANT YORK"

ERROL FLYNN
and
FRED MacMURRAY
in
"DIVE BOMBER"
with
Ralph Bellamy
Robert Armstrong



ANN SHERIDAN
JACK OAKIE
MARTHA RAYE
JACK HALEY
in
"NAVY BLUES"
with the
"Navy Blues Sextet"

EDW. G. ROBINSON
MARLENE DIETRICH
GEORGE RAFT
in
"MANPOWER"

JACK L. WARNER • **HAL B. WALLIS**
In Charge of Production *Executive Producer*

our Immediate Future!

JAMES CAGNEY
and
BETTE DAVIS
in
"THE BRIDE CAME C.O.D."

"BAD MEN OF MISSOURI"
with
Dennis Morgan
Jane Wyman
Wayne Morris
Arthur Kennedy

WARNER BROS.

"UNDERGROUND"
The most timely picture ever produced!

THEY'RE ALL IN PRODUCTION RIGHT NOW!

...And coming to you
as fast as they are finished!
For example:

IDA LUPINO
JOHN GARFIELD
in
"OUT OF THE FOG"
(completed)

OUT OF THE FOG	JUNE 14th
UNDERGROUND	JUNE 28th
BRIDE CAME C. O. D.	JULY 12th
BAD MEN OF MISSOURI	JULY 26th
MANPOWER	
SERG	

Week
After
Week–
WARNERS!

U. S. Decides Classifications Of Coast Labor

(*Continued from page* 1)

lishes a case, recover twice the amount of wages and overtime due. It is also provided that the courts may assess attorney fees and costs against the employer.

Chief among the disputed classifications, hearings on which held here several months ago, announced were exemptions from the act of first and second cameramen, still photographers, first sound men and supervisors, and non-exemptions of second assistant cameramen, standby painters, prop makers and special effects men, second assistant directors, script clerks, process projectionists and Class 2 and 3 sound men.

Issuance of the report clears the way for negotiations of unions on adjustments of wage scales and working conditions, which have been stalled by lack of classifications by the Government. Unions have claimed some $3,000,000 due their members in back wages and overtime, with some individuals alleging about $3,000 due each.

First RKO 5-Block Ready for Meeting

(*Continued from page* 1)

will preside over all convention sessions.

A general committee has been designated by Depinet to work on final details for the convention. The committee includes: A. A. Schubart, manager of exchange operations; S. Barret McCormick, director of advertising and publicity; Leon J. Bamberger, sales promotion manager; L. E. Gaudreau, purchasing agent; Rutgers Neilson, publicity manager, and Harry Gittleson, editor of the RKO house organ, *Flash*.

The New York exchange sales staff, of which Robert Wolff is manager, will be the reception committee welcoming delegates. The committee, in addition to Wolff, includes: Frank Drumm, office manager; Phil Hodes, sales manager; Jack Ellis, Lou Kutinsky, Harry Zeitel, Ed Carroll and John Dacey.

Joseph I. Breen, administrative head of the studio, is expected here Friday and will attend the convention.

'Pot 'o Gold' $5,300 In New Haven Lull

NEW HAVEN, June 4.—"Pot o' Gold" and "The Singapore Woman" at the Roger Sherman was the only bill in town to top the average mark, taking $5,300. All other downtown business was off.

Estimated receipts for the week ending May 29:

"The Great American Broadcast" (20th-Fox)
"Scotland Yard" (20th-Fox)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,000. (Average, $2,700)
"Topper Returns" (U.A.)
"The Bad Man" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $6,500. (Average, $8,000)
"Charlie Chaplin Festival" (Guaranteed)
"Keeping Company" (M-G-M)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $2,500. (Average, $4,500)
"Pot O' Gold" (U.A.)
"The Singapore Woman" (W.B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $5,300. (Average, $5,000)

Feature Review

"Thieves Fall Out"

(*Warners*)

THE fact that Eddie Albert, Alan Hale and Jane Darwell are featured herein hardly compensates for the illogical and inconsistent story which they enact. The names are good marquee material.

Joan Leslie, playing the top feminine role, is capable and most attractive. Also involved are William T. Orr, John Litel, Anthony Quinn, Edward Brophy and Vaughan Glaser.

The narrative first presents the romance of Albert and Miss Leslie as hampered by their respective parents, which finally leads to their elopement. Albert borrows $31,000 on a legacy left by his grandfather and purchases a spring factory which he later learns is engaged in defense work. A group of gangsters thereupon bow in and not until Miss Darwell, as the grandmother, interferes, are things straightened out. The competent cast has apparently extracted every bit of entertainment from the script.

Running time, 70 minutes. "G."*

**"G" denotes general classification.*

Studios Buy 16 Stories for Production During Week

Hollywood, June 4

SIXTEEN stories, eight in one deal, were purchased by various studios last week. The eight-in-one deal was that of Producers Releasing Corp.'s SIGMUND NEUFELD, who bought the film rights to JOHNSTON McCULLEY's series of stories to be used as the basis for the "Frontier Marshal" westerns co-starring TOM TYLER and LEE POWELL, the latter being the original screen "Lone Ranger" in the first Republic serial of that name.

M-G-M bought a Broadway musical comedy, a novel and an original. The musical is "Red, Hot and Blue," by HOWARD LINDSAY and RUSSEL CROUSE with music by COLE PORTER which starred Jimmy Durante on Broadway; the novel, "Two Women," French Goncourt prize winner by MAXCENCE VAN DER MERSCH; the original, "Comin' at You," by BORDEN CHASE.

• •

William H. Pine, producing for Paramount release, has purchased a western detective mystery story, "The Hands on the Clock Stand Still," by Geoffrey Homes (pen name for Dan Mainwaring, newspaperman and publicist), and "Torpedo Boat," by Aaron Gottlieb, yarn of the United States mosquito fleet. Paramount purchased the radio sketch, "The Man in the Street," by William Bowers and Robinson Holbert, which was done last week on the network show "Manhattan at Midnight."

• •

RKO has acquired "Modern Merry Widows," comedy of "grass widows" whose husbands have been drafted, written by ADELA ROGERS ST. JOHN and CHARLES BELDEN, who will do the script. LUCILLE BALL and ANNE SHIRLEY will be featured in the film.

• •

Several important players were cast by various studios this week. MADELEINE CARROLL, now working in "Bahama Passage" at Paramount, next goes into "The Lady Has Plans," spy drama at the same studio. Warners has replaced the ailing OLIVIA DE HAVILLAND with MARTHA SCOTT in "One Foot in Heaven," which IRVING RAPPER will direct. Warners borrowed BETTY FIELD from Paramount for "Hot Nocturne," and loaned MARIS WRIXEN to Republic for the lead opposite GENE AUTRY in "Under Fiesta Stars." Producers Releasing Corp. set ROBERT BALDWIN to play opposite his wife, CECILIA PARKER, in "Gambling Daughters." CLAIRE TREVOR, ALBERT DEKKER and FRANK MORGAN go into "Honky Tonk," CLARK GABLE-LANA TURNER vehicle at M-G-M.

• •

Twentieth Century-Fox placed Brenda Joyce in the lead of "Marry the Boss's Daughter," and borrowed Donlap Crisp from Warners for "How Green Was My Valley." Other Paramount castings: Eddie Bracken and June Preisser to "Sing a Song of Homicide"; Preston Foster and Frances Farmer to "Prison Widows," and Ellen Drew opposite William Holden in "The Remarkable Andrew." Warners set Ronald Reagan and Jane Wyman for "Background to Danger," story of an R. A. F. flyer.

• •

At the request of JOHN HAY WHITNEY, coordinator of commercial and cultural relations among the American Republics, C. B. DEMILLE has shifted his production plans and will make "Rurales," story of the Mexican constabulary, next on his Paramount program following the currently shooting "Reap the Wild Wind."

All-Out Drive for U. S. Defense Reels

(*Continued from page* 1)

on hand to provide one defense show weekly for an indefinite period, beginning at once.

The distributors already have handled 18 such reels, it is reported, and last night took on three additional three-minute shorts.

This new plan, which, it is expected, may be announced today, is reported patterned after the setup of the exhibitors' defense committee headed by Joseph Bernhard.

'Hamilton' $16,000 Washington Tally

WASHINGTON, June 4. — "That Hamilton Woman," taking $16,000 at Loew's Palace, led in a mediocre week. "Citizen Kane" dropped to $7,500 in the second week at the RKO Keith at advanced prices.

Estimated receipts of the week ending May 28-June 1:

"Meet John Doe" (W. B.)
WARNERS' EARLE—(2,200) (28c-3[illegible] 55c-66c-77c) 7 days, 2nd week. On stage Marina Lord, Read Sisters, Wesson Bros., Siggy Lane, Roxyettes. Gross: $11,400. (Average, $11,000)
"Pot o' Gold" (U. A.)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Bert Frohman, Carroll & Howe, Johnny Mack, Ann Pritchard, Rockets. Gross: $13,500. (Average, $15,500)
"That Hamilton Woman" (U. A.)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $16,000. (Average, $15,000)
"Ziegfeld Girl" (M-G-M)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, 2nd week, return engagement. Gross: $3,500. (Average, $3,500)
"Citizen Kane" (RKO)
RKO KEITH'S—(1,834) (75c-$1.10-$1.65) 7 days, 2nd week. Gross: $7,500.
"They Dare Not Love" (Col.)
WARNERS' METROPOLITAN—(1,600) (28c-44c) 7 days. Gross: $3,700. (Average, $4,000)
"Fantasia" (RKO)
NATIONAL—(1,693) (55c-75c-$1.10-$1.65) 7 days, 3rd week. Gross: $11,500.

New York Group to MPTOA Meet Today

(*Continued from page* 1)

ture committee cooperating for national defense, is expected to speak on the industry's defense effort.

David Palfreyman, in charge of MPPDA theatre relations, is en route to the convention, which will open at the Ambassador Hotel on Monday. J. Noble Braden, executive secretary of the American Arbitration Association, who will speak on operations of the industry arbitration system at the convention, will leave tomorrow.

Freeman Names Meyer Studio Committee Head

HOLLYWOOD, June 4.—Y. Frank Freeman, Association of M. P. Producers president, today named Fred S. Meyer, 20th Century-Fox studio manager and former MPTOA official, as general chairman of the studio entertainment arrangements committee for the MPTOA-PCCITO convention.

'Model Wife' Is Fair As Kansas City Slips

KANSAS CITY, June 4.—Grosses were generally off here. "Model Wife" and "The Black Cat" drew the strongest business, with $2,400 at the Esquire and $2,500 at the Uptown.

Estimated receipts for the week ending May 29:

"Model Wife" (Univ.)
"The Black Cat" (Univ.)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $2,400. (Average, $2,200)
"Pot o' Gold" (U. A.)
"The People vs. Dr. Kildare" (M-G-M)
MIDLAND—(3,600) (28c-44c) 7 days. Gross: $9,000. (Average, $9,500)
"I Wanted Wings" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week. Gross: $6,500. (Average, $7,000)
"Ride on Vaquero" (20th-Fox)
TOWER—(2,200) (30c) 7 days. Stage: Gene Austin with Whippoorwills, Serrill Sisters, Novelties. Gross: $5,500. Average, $6,000)
"Model Wife" (Univ.)
"The Black Cat" (Univ.)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $2,500. (Average, $3,000)

BOYS, here's the picture that's bringing the people BACK TO THE THEATRE!

UNIVERSAL'S

Bud ABBOTT and Lou COSTELLO
Dick POWELL

IN THE NAVY

with THE ANDREWS SISTERS, Claire Dodd, Condos Brothers

DOES

212% of "BUCK PRIVATES" BUSINESS

IN FIRST 28 OPENINGS IN COUNTRY!

OFFICIAL!

1. Orpheum Theatre, **San Francisco, Calif.**
2. Warner Theatre, **Milwaukee, Wisconsin**
3. Roger Sherman Theatre, **New Haven, Conn.**
4. Rialto Theatre, **Louisville, Ky.**
5. Orpheum Theatre, **Seattle, Washington**
6. Capitol Theatre, **Scranton, Pa.**
7. Majestic Theatre, **Providence, R. I.**
8. Orpheum Theatre, **Davenport, Iowa**
9. Colonial Theatre, **Elmira, N. Y.**
10. Durfee Theatre, **Fall River, Mass.**
11. Senate Theatre, **Harrisburg, Pa.**
12. Strong Theatre, **Burlington, Vt.**
13. Capitol Theatre, **Little Rock, Ark.**
14. Opera House, **Newport, R. I.**
15. Astor Theatre, **Reading, Pa.**
16. Bijou Theatre, **Springfield, Mass.**
17. Ohio Theatre, **Canton, Ohio**
18. Earle Theatre, **Allentown, Pa.**
19. Poli Theatre, **Bridgeport, Conn.**
20. Capitol Theatre, **Hazelton, Pa.**
21. Palace Theatre, **Lawrence, Mass.**
22. Roxy Theatre, **Springfield, Ill.**
23. Penn Theatre, **Wilkes Barre, Pa.**
24. Palace Theatre, **Stamford, Conn.**
25. State Theatre, **New Bedford, Mass.**
26. College Theatre, **Bethlehem, Pa.**
27. Garde Theatre, **New London, Conn.**
28. Ellaney Theatre, **El Paso, Texas**

BOYS, WE TOLD YOU— GET THAT NAVY GRAVY!

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
May 9	Her First Beau (C) 2013 *Jane Withers* *Jackie Cooper*	A Woman's Face (D) 136 *Joan Crawford* *Melvyn Douglas*		Country Fair (C) 015 Sheriff of Tombstone (O) 056		Great American Broadcast (M) 140 *Alice Faye* *Oakie-Payne*			Affectionately Yours (C) 566 *Merle Oberon* *Dennis Morgan*	The Pioneers House of Mystery (Mono.)
May 16	She Knew All the Answers (C) 2008 *Joan Bennett*	I'll Wait for You (D) 135 *Marsha Hunt* *Robt. Sterling*	There's Magic in Music (M) 4021 *Allan Jones* *Susan Foster*	The Gay Vagabond (C) 022 *Roscoe Karns*		Cowboy and the Blonde (O) 141 *Mary B. Hughes* *G. Montgomery*	Adventures of Tom Sawyer (D) Prisoner of Zenda (D) (Re-issues)		Singapore Woman (D) 563 *Brenda Marshall* *David Bruce*	King of the Zombies (Mono.) Lone Rider in Ghost Town 165 (PRC)
May 23	Naval Academy (D) 2020 *F. Bartholomew*	Love Crazy (C) 134 *Myrna Loy* *Wm. Powell*	Pirates on Horseback (O) 4054 *Boyd-Hayden*	Desert Bandit (O) 077 *Don Barry* *Lynn Merrick*	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) 142 *John Beal*		Too Many Blondes (M) 5034 *Rudy Vallee*	The Nurse's Secret (D) 523 *Lee Patrick* *Regis Toomey*	The Redhead (Mono.) Emergency Landing 109 (PRC)
May 30	Adventure in Washington (D) 2010 *Herbert Marshall*	Billy the Kid (O) 137 *Robert Taylor* *Mary Howard*	I Wanted Wings (D) 4028 *Ray Milland* *Holden-Morris*	Saddlemates (O) 067 *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* The Saint's Vacation (D)	Blood and Sand (D) 143 *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane* *Jeffrey Lynn*	Silver Stallion (Mono.) Paper Bullets 125 (PRC)
June 6		Mata Hari (D) (Reissue) *Greta Garbo* *L. Barrymore*		Angels With Broken Wings (D) 016 *Binnie Barnes*	Cyclone on Horseback (O) 185 *Tim Holt*	For Beauty's Sake (C) 144 *Ned Sparks* *Marjorie Weaver*		Men of the Timberlands (D) 5055 *Arlen-Devine*	Devil Dogs of the Air (D) 550 (Re-issue) Shining Victory (D)	Wranglers' Roost (Mono.) Texas Marshal 156 (PRC)
June 13	Richest Man in Town (C) *Roger Pryor* *Eileen O'Hearn*	The Get-Away (D) 138 *Robt. Sterling* *C. Winniger*	One Night in Lisbon (D) 1287 *F. MacMurray*		Bring 'Em Back Alive 131 *Frank Buck*	Bride Wore Crutches (C) 112 *Lynne Roberts*	Broadway Limited (C) *Vic. McLaglen* *M. Woodworth*	Tight Shoes (D) *Binnie Barnes* *Brod. Crawford*	Out of the Fog (D) *John Garfield* *Ida Lupino*	The Gang's All Here (Mono.) Criminals Within 111 (PRC)
June 20	Time Out for Rhythm (M) Hands Across the Rockies (O)	The Big Store (C) 139 *Marx Bros.*	West Point Widow (D) *Anne Shirley* *Richard Carlson*	Nevada City (O) 057 *Roy Rogers* *Gabby Hayes*	They Meet Again (D) 134 *Jean Hersholt* *Dorothy Lovett*	Man Hunt (D) 146 *Walter Pidgeon* *Joan Bennett*		Law of the Range (O) San Antonio Rose (O)	Passage from Hong Kong (D) *Keith Douglas*	Black Beauty (Mono.)
June 27	Sweetheart of the Campus (M) Medico of Painted Springs (O)	They Met in Bombay (D) *Clark Gable* *Rosalind Russell*	Parson of Panamint (D) *Charles Ruggles* *Ellen Drew*	Puddin' Head (C) 003 Kansas Cyclone (O) 078	The Reluctant Dragon (Disney) 191	A Very Young Lady (D) 145 *Jane Withers* *Nancy Kelly*		Hit the Road (D) *Dead End Kids* *Tough Guys*	Underground (D) *Jeffrey Lynn* *Mona Maris*	Bowery Blitzkrieg Wanderer of the West (Mono.)
July 4	I Was a Prisoner on Devil's Island (D)	Barnacle Bill (D) *Wallace Beery* *Virginia Weidler*	Caught in the Draft (C) *Bob Hope* *Dorothy Lamour*	Gangs of Sonora (O) 068 *3 Mesquiteers*		Moon Over Miami (M) 147 *Don Ameche* *Betty Grable*		Bachelor Daddy (C) *Baby Sandy* *E. E. Horton*		Gambling Daughters 114 (PRC) *Cecelia Parker*
July 11	Two in a Taxi (D) *Anita Louise* *Russell Hayden*	Ringside Maisie (C) *Ann Sothern* *George Murphy*				Accent on Love (D) 148 *Cobina Wright* *G. Montgomery*		Hello Sucker (C) *Hugh Herbert* *Tom Brown*		
July 18	Blondie in Society (C) *Singleton-Lake* *Larry Simms*		Shepherd of the Hills (D) *John Wayne* *Betty Field*			Dance Hall (D) 149 *Cesar Romero* *Carole Landis*		Raiders of the Desert (D) 5056 *Arlen-Devine*		
July 25	Officer and the Lady (D) *Rochelle Hudson* *Roger Pryor*		Forced Landing (D) *Richard Arlen* *Eva Gabor*					I, James Lewis (D) *Franchot Tone* *Carol Bruce*		Desperate Cargo D 113 (PRC) *Ralph Byrd*

Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.

PARAMOUNT SHORTS . . . the "Feature" of any Program!

May 30 Animated Antics Cartoon 'ZERO, THE HOUND'

May 30 Magnacolor UNUSUAL OCCUPATIONS No. 5

June 6 Paramount Headliner Your Favorite Program 'THOSE WE LOVE'

June 13 Popeye the Sailor 'OLIVE'S BOITHDAY PRESINK'

100% BOX OFFICE TESTED!

'Love Crazy' Pulls $11,000 in Denver

DENVER, June 4.—Theatre business continued to be good in Denver as "Love Crazy" on a dual at the Orpheum took in $11,000. "Meet John Doe" at the Denver took $10,900 and "One Night in Lisbon" at the Denham drew $9,000.

Estimated receipts for the week ending May 27-30:

"Penny Serenade" (Col.)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,400. (Average, $2,000)
"The Great Lie" (W.B.)
"The Big Boss" (Col.)
BROADWAY—(1,040) (40c-50c) 7 days, 3rd week. Gross: $2,500. (Average, $2,500)
"One Night in Lisbon" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days. Gross: $9,000. (Average, $6,400)
"Meet John Doe" (W.B.)
DENVER—(2,600) (25c-35c-40c) 7 days. Gross: $10,900. (Average, $8,700)
"Love Crazy" (M-G-M)
"Washington Melodrama" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $8,700)
"They Dare Not Love" (Col.)
"Thieves Fall Out" (W.B.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,200. (Average, $3,800)
"A Woman's Face" (M-G-M)
"Repent at Leisure" (RKO)
RIALTO—(900) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,100)

'Ziegfeld' Strong; $16,000 in Newark

NEWARK, June 4.—As a bright spot in an otherwise below-average season, two films, "I Wanted Wings" and "Ziegfeld Girl" emerged as hits, chalking up $15,400 and $16,300 at the Paramount-Newark and Loew's State, respectively. Improvement in weather aided business generally.

Estimated receipts for the week ending May 27-29:

"The Wagons Roll at Night" (W. B.)
"Singapore Woman" (W. B.)
WARNERS' BRANFORD — (2,840) (15c-28c-33c-44c-55c-65c-75c) 7 days. Gross: $12,600. (Average, $14,000)
"Ziegfeld Girl" (M-G-M)
"Blonde Inspiration" (M-G-M)
LOEW'S STATE (2,589) (28c-44c-55c-75c) 7 days. Gross: $16,300. (Average, $13,500)
"I Wanted Wings" (Para.)
PARAMOUNT-NEWARK — (2,200) (15c-28c-33c-40c-55c-75c) 7 days. Gross: $15,400. (Average, $13,750)
"The Great American Broadcast" (20th-Fox)
"Scattergood Baines" (RKO)
RKO PROCTOR'S — (3,389) (20c-33c-44c-65c-75c) 6 days, 2nd week. Gross: $13,700. (Average, $14,500)

Indianapolis Is Off; 'Wings' Gets $6,500

INDIANAPOLIS, June 4.—The slump continues here. "I Wanted Wings" did $6,500 at the Indiana. The weather was hot and crowds surging into the city for the 500-mile Speedway race apparently made little difference at the box-office.

Estimated receipts for the week ending May 30:

"Million Dollar Baby" (W.B.)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $4,000. (Average, $6,000)
"I Wanted Wings" (Para.)
INDIANA — (3,200) (28c-33c-44c) 7 days. Gross: $6,500. (Average, $6,000)
"Pot O' Gold" (U.A.)
"The People vs. Dr. Kildare" (M-G-M)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $6,000. (Average, $7,000)
"Missing Ten Days" (Col.)
LYRIC—(2,000) (30c-40c-50c) 7 days. Stage: Lou Breese orchestra. Gross: $6,500. (Average, $8,000)

Standard Pictures Moves

The home office of Standard Pictures has been moved to 723 Seventh Ave. Arthur Bonns, formerly with Grand National and later with Pathe, is now general manager.

Short Subject Reviews

"March of Time, No. 11"
(RKO)

A frank and outspoken attack on "aggressor nation Japan," the latest March of Time reel, "China Fights Back," is an instructive and frequently exciting exposition of the epic battle of the Chinese people for their liberty. With over 4,000,000 persons killed, wounded or missing, China is shown entrenching itself deeper and deeper in the interior. There new factories to manufacture materials of war are being set up while thousands of refugees are setting up cooperative organizations to aid in the manufacturing process.

Shown in interesting action shots are Generalissimo Chiang Kai-shek, the three Soong sisters, Chinese and Japanese soldiers and Japanese Government officials. With the declaration of an unlimited U. S. emergency, China has been described as the Western frontier of the United States. Any unusual development in the Far East which brings it prominently on the front pages should warrant feature billing for "China Fights Back." Running time, 18 mins.

"Picture People, No. 10"
(RKO-Pathe)

Here is another excellent release in this bang-up series. The first of the four "inside" views shows Ginger Rogers, Burgess Meredith, George Murphy and Garson Kanin on the set of "Tom, Dick and Harry." This is followed by Basil Rathbone puttering around the Los Angeles sheriff's office with a "whodunit" for the sheriff to solve. Also seen are Connie Bennett at work in her cosmetic factory and Roy Rogers, Olympe Bradna, Smiley Burnette, Monte Montana, Jerry Colonna and Fanny Brice at an all-star rodeo. Running time, 8 mins.

"Father Kino"
(Universal)

In interesting fashion this tells the story of Father Kino, who first introduced Christianity to the Southwest. The film tours the various missions and shrines built by the Jesuit priest in the latter part of the 17th Century while the commentator recites the historical significance of each. The short necessarily moves slowly but the subject is effectively presented. Running time, 9 mins.

"Information, Please, No. 10"
(RKO-Pathe)

Louis Bromfield, the author, is the guest expert in this reel, along with the regulars, John Kieran, Franklin P. Adams, Oscar Levant and Clifton Fadiman. Although there is little repartee in this issue, the experts continue to astound by the breadth of their knowledge. It should please. Running time, 10 mins.

"Canine Caddy"
(Disney-RKO)

Mickey decides to play a round of golf and hires Pluto as his caddy. The trouble starts when the ball lands in a gopher hole and Pluto goes on a chase after the gopher. There are a number of laughs while Mickey goes through the usual motions of an annoyed golfer and the little gopher is an engaging character. Up to standard. Running time, 7 min.

"Jumpin' Jive"
(Universal)

Here is a light and peppy package of musical entertainment comprising a few routine vaudeville items and an equal number of more enjoyable acts. In the latter classification are Judy Starr, popular radio and Broadway vocalist, who is accompanied by the Music Maids; an acrobatic troupe known as the Maxellos, and two talented youngsters, Butch and Buddy, who might have been given more footage to advantage. Running time, 7 mins.

"Stranger Than Fiction, No. 92"
(Universal)

Six items sufficiently unusual to hold the interest are presented: dolls made from redwood bark; the fence of gun barrels which encircles the cabin once occupied by Ulysses S. Grant; a new method of flower painting; a bird egg collection; an ambidextrous Oklahoma girl, and finally a dog employed as a gas station attendant. Running time, 9 mins.

"Jockey's Day"
(RKO-Pathe)

This "Sportscope" shows the routine in the life of a big-time jockey from his rising hour to bedtime. Wendell Eads is the jockey whom the camera selects to follow. The day starts with the morning workout for the horses and is followed by a carefully selected lunch, the weighing-in process and the big race. In the evening, Eads goes to the films where he sees a newsreel of himself and is in bed at 9, dreaming about winning a Kentucky Derby. There is also a brief glimpse of Man-O-War, without whom no racing reel would be complete. Interesting. Running time, 9 mins.

"An Apple in His Eye"
(RKO)

For those customers who long for the good old days of custard-pie comedy this Edgar Kennedy two-reeler should fill the bill. Although the filling is apple, not custard, the air is full of flying pies and there is scarcely a foot of the film which has not some pies. Vivian Oakland, as Kennedy's wife, orders several dozen pies for a charity bazaar. Kennedy objects to the expense and decides to make them himself. He does, with a hilarious scene in the kitchen, but becomes embroiled with his neighbor, Charlie Hall. It all ends with pie-battle-royal among the ladies of the bazaar, firemen, Kennedy, Hall and Miss Oakland. Running time, 14 mins.

"A Panic in the Parlor"
(RKO)

Leon Errol gets himself involved again in difficulties with his wife and his employer. Directed to go to a business convention in Seattle, Errol goes to Agua Caliente instead. His boss discovers the deception but gives Errol a chance to explain. Meanwhile, his wife also learns of the Mexican excursion and pretends to have a Russian lover and, later, a Frenchman. It gets very involved and winds up with Errol being fired. The subject has comparatively little to offer. Running time, 18 mins.

'Wings' Gets $16,000, Fair Boston Week

BOSTON, June 4.—Grosses held up fairly well with "I Wanted Wings" and "A Shot in the Dark" gathering $16,000 at the Metropolitan. "That Hamilton Woman" and "Ellery Queen's Penthouse Mystery" drew $13,000 at Loew's State and $16,900 at Loew's Orpheum.

Estimated receipts for the week ending May 28-30:

"I'll Sell My Life" (Merrick)
"Nice Girl?" (Univ.)
"The Man Who Lost Himself" (Univ.)
"Red Head" (Mono.)
KEITH BOSTON — (3,200) (28c-33c-44c-55c-65c) 4 days, 3 days. Vaudeville including Dinah Shore, Thurston's Mysteries presented by Will Rock. Gross: $8,700. (Average, $8,000)
"The Great American Broadcast" (20th-Fox)
"Repent at Leisure" (RKO)
KEITH MEMORIAL — (2,907) (28c-33c-44c-55c) 7 days. Gross: $13,000. (Average, $16,000)
"I Wanted Wings" (Para.)
"A Shot in the Dark" (W. B.)
METROPOLITAN — (4,367) (28c-39c-44c-55c) 7 days. Gross: $16,000. (Average, $15,500)
"Meet John Doe" (W. B.)
"Strange Alibi" (W. B.)
PARAMOUNT — (1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $6,900. (Average, $7,500)
"Meet John Doe" (W. B.)
"Strange Alibi" (W. B.)
FENWAY — (1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $4,900. (Average, $4,500)
"The Great Lie" (W. B.)
"Knockout" (W. B.)
SCOLLAY—(2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $3,500. (Average, $4,000)
"That Hamilton Woman" (U. A.)
"Ellery Queen's Penthouse Mystery" (Col.)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days. Gross: $13,000. (Average, $12,000)
"That Hamilton Woman" (U. A.)
"Ellery Queen's Penthouse Mystery" (Col.)
LOEW'S ORPHEUM — (2,900) (28c-33c-44c-55c) 7 days. Gross: $16,900. (Average, $17,500)

'Broadcast' $4,300 In St. Louis Slump

ST. LOUIS, June 4.—Business is still below normal. "The Great American Broadcast" and "The Great Lie" took $4,300 at the Missouri. "Love Crazy" and "Rage in Heaven" at Loew's State took $13,000.

Estimated receipts for the week ending May 29:

"She Knew All The Answers" (Col.)
"Too Many Blondes" (Univ.)
AMBASSADOR — (3,018) (28c-39c-44c-55c) 7 days. Gross: $7,500. (Average, $11,500)
"Million Dollar Baby" (W.B.)
"Reaching for the Sun" (Para.)
FOX—(5,038) (20c-30c-40c) 7 days. Gross: $8,000. (Average, $11,000)
"Rookies on Parade" (Rep.)
"The Great Swindle" (Col.)
ST. LOUIS — (4,000) (25c-35c) 7 days. Gross: $1,800. (Average, $2,600)
"Great American Broadcast" (20th-Fox)
"The Great Lie" (W.B.)
MISSOURI — (3,514) (30c-40c-50c) 7 days. Gross: $4,300. (Average, $4,000)
"Love Crazy" (M-G-M)
"Rage In Heaven" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $13,000. (Average, $13,000)

"Nifty Nineties"
(Disney-RKO)

Singing the songs of the gay '90s, Mickey strolls through the park until he meets blushing Minnie. He takes her to see a then-current vaudeville show, and finally drives her home in one of those new-fangled horseless buggies. It's amusing. Running time, 7 mins.

Fly Proposes Freedom from Web Restraint

WASHINGTON, June 4.—The only purpose of the FCC monopoly regulations is to "free" stations from restraints now imposed upon them by the networks, FCC Chairman James L. Fly insisted today as hearings before the Senate Interstate Commerce Committee on the White resolution for investigation of the commission and broadcasting continued.

The stations still will be able to contract for both sustaining and commercial network programs for as long periods as they desire, Fly said, but the regulations do not permit affiliation contracts to run for more than one year.

He cited the NBC and CBS contracts which bind the stations to the network for five years but tie the networks to the stations for only one year.

White Challenges Authority

Authority of the FCC to promulgate regulations defining monopoly was directly challenged by Sen. Wallace H. White, who introduced the resolution. White contended that the situation between networks could be equalized by the undisputed right of the FCC to assign frequencies and power. However, he continued, the FCC could not under the "public interest" clause determine anti-trust activities, which is a matter for the courts. Fly replied that control over frequencies and power was insufficient because there was no assurance that the network setups would remain stable.

Fly declared that the commission intends to restore to the station licensees the responsibility provided by law for programs and which the Communications Act does not contemplate shall be delegated to the networks.

Feel Separation Desirable

Fly told the committee that the FCC was agreed that separate ownership of each network would be desirable, although he admitted that Commissioners Craven and Case felt it should be accomplished by negotiation rather than fiat. Answering questions as to the ability of NBC to sell the Blue network, he said it would be a question of choosing between purchasers rather than finding a buyer.

Fly added that the Blue could be sold "lock, stock and barrel" without the public realizing the change and with a healthier outlook for the network because it would be freed from the burden of sustaining programs which it now carries. It would be a "business indiscretion," he admitted, to permit the network to be wiped out.

Fly agreed with members of the committee that a flat 90 days might be too short a time for disposition of the network and gave assurance that ample time would be provided. His attention called to the fact that, if the commission stood on the regulations as now written, the license of no Red or Blue station could be renewed, Fly said there was no intention of penalizing stations if a real attempt were made to sell the network. He indicated, however, that if the networks attempt to sabotage the regulations the FCC would adopt a stiffer attitude. Members of the committee observed that "there has been too much heat on the part of the broadcasters and, perhaps, the commission."

No further hearings will be held this week. The committee is scheduled to resume its questioning of Fly on Monday with two or three Mutual representatives following him. After that, NBC and CBS officials will be heard. Commissioner Craven, who dissented from the regulations, probably also will be called.

Off the Antenna

ADAM HATS has ordered 138 stations for the NBC-Blue hookup to carry the Nova-Robinson heavyweight fight from Minneapolis tomorrow night. This is the first bout to be scheduled since the expiration of Mike Jacobs' contract with the network on June 1. Mutual now has the exclusive rights to the fights promoted by Jacobs but litigation to decide that contract is pending. Jacobs is not handling tomorrow's show.

• • •

Purely Personal: *Elizabeth Shay of the NBC production division will direct four plays at the Monomoy Theatre, Chatham, Mass., during July. . . . Eve Curie will be guest of Wythe Williams over Mutual next Thursday at 8 P.M. . . . Alexander Kirkland, actor-producer, will be one of the contestants on "Double or Nothing" over Mutual tomorrow 8-8:30 P.M. . . . A. Lewis King has joined WNEW's sales department.*

• • •

Eleanor Roosevelt, wife of the President, will make her first appearance on a daytime serial next Thursday when she will be heard over NBC-Red 10-10:15 A.M. Mrs. Roosevelt will address the mythical girls' school, "Mount Holly," in a discussion of the participation of girls in national defense.

• • •

National defense will be the principal topic when the CBS adult education board convenes at the network's offices here tomorrow for its annual meeting. The board will consider CBS educational activities of the past year, including "Invitation to Learning" and "People's Platform," both of which were created at the board's suggestion. It will also consider new educational projects and extensions of existing programs.

• • •

Program News: The Coca Cola program, "The Pause That Refreshes on the Air," heard over 105 CBS stations, will shift time for the 13-week Summer period. Beginning June 29, the show will be heard Sundays 8-8:30 P.M. instead of 4:30-5:15 P.M., but will return to the afternoon spot Sept. 28. The format of the program will remain unchanged.

WOR Full Time to Meet Work Shifts

WOR will go on a 24-hour operating schedule about the middle of this month, Alfred J. McCosker, president, revealed yesterday. At present, the station operates from 5:30 A.M. to 2 A. M.

McCosker stated that the defense operations had caused radical shifts in the living habits of many persons because numerous factories are now on a 24-hour basis. The additional three and one-half hours will be devoted to music, news and rebroadcasts of outstanding features which defense workers may have missed at other times.

At the start, the station will operate around the clock five mornings a week and will devote the 2-5:30 A.M. periods on Sunday and Monday to transmitter repairs and maintenance.

WOR was known to have been contemplating the move for some time but held off pending settlement of its dispute with Ascap.

Morgan to Milwaukee

Dennis Morgan, who has been appearing at the Broadway Strand, leaves tonight for Milwaukee.

Continue to Realign Personnel of F.P.C.

TORONTO, June 4.—Realignment of the Famous Players Canadian management was furthered at a meeting of the theatre personnel here today, with new assignments being made by Morris Stein, general manager.

Robert Eves, manager of the Eglinton Theatre here, was promoted to district manager of the Toronto suburban houses. J. Rollins, assistant manager of the Eglinton, was made manager.

Dan Krendel, manager of the Capitol, Hamilton, was promoted to district manager of the new Western Ontario territory. Northern Ontario and Northern Quebec were added to the territory handled by Jack Arthur, who has been district manager at Kingston.

T. R. Tubman, manager of the Capitol, Ottawa, was appointed district manager for Eastern Ontario, including Brockville and Hull. Morris Sten will supervise the theatres in London, Chatham and Windsor, in addition to his downtown Toronto houses.

Robert S. Roddiek was appointed district manager for the Maritime Provinces with headquarters at Halifax.

J. J. Fitzgibbons, FPC president, returned today from a tour of Western Canadian operating headquarters.

WEVD Sued on Song

Associated Music Publishers, Inc., yesterday filed suit in the U. S. District Court against the Debs Memorial Radio Fund, Inc., owner of WEVD, and Henry Greenfield, its general manager, charging unauthorized use of the song, "Petite Suite Espagnole."

Ziehm-Hoffberg Deal

Arthur Ziehm, Inc., has closed with Hoffberg Productions, Inc., for the distribution of Hoffberg product in New York, Albany and Buffalo.

Trade Ready For Television Start in July

(*Continued from page 1*)

program service by July 1. The CBS transmitter went on the air last Summer with a test pattern and some color experiments but was compelled to go off shortly thereafter beca[illegible] of new assignments in frequencies.

DuMont yesterday started expansion of studio facilities by giving over the entire top floor at 515 Madison Ave., to its transmitter and studio. A sales office for receiving sets was set up yesterday on the 17th floor. The DuMont transmitter has been conducting field tests with both its video and aural channels operating for more than a month.

RCA-NBC Decision Due

Meanwhile, RCA-NBC officials are still undetermined about their future policy in the new field. With the return of top executives from the Washington Senate hearings today, it is understood that a definite statement of policy will be forthcoming within the next two or three days. One of the problems is the ability of RCA Manufacturing to obtain materials for building receiving sets.

WOR on Tuesday filed an application with the FCC requesting a two-month extension within which to start constructing its station. WOR, the only other license holder in this city, is still studying the problem of the most desirable equipment and its availability in the light of priorities. The construction permit expires July 1 and and WOR is seeking an additional 60 days.

Canada to Expand Use of Air, Screen

OTTAWA, June 4.—A greater use of radio and the screen is planned by the Canadian Government in its new policy of more information and publicity on the Dominion's war effort.

It is reported that Munitions and Supply Minister C. D. Howe may relinquish his ministerial direction of CBC when a full-time minister is appointed for the expanded Department of National War Services. It was indicated in the Commons recently that the new department would be expanded and a new minister appointed.

The expansion will embrace direction of CBC, all forms of publicity, the National Film Board and the Government Motion Picture Bureau, now under the jurisdiction of J. A. MacKinnon, Minister of Trade and Commerce.

FCC Sets Power for New Mexico Station

WASHINGTON, June 4.—The FCC has authorized Station KOB, Albuquerque, N. M., to operate for six months with power of 25,000 watts night, 50,000 watts day, on a frequency of 1,030 kilocycles, to determine whether that power can be used on that frequency permanently without interference to other stations.

The commission also granted a permit to Station WGNY, Newburgh, N. Y., to change frequency from 1,250 to 1,220 kilocycles and increase power from 250 to 1,000 watts.

WHAT THE WAR HAS DONE TO THE SCREEN IN ENGLAND

By AUBREY FLANAGAN
in LONDON

¶ The first and only comprehensive summation of the impact of World War II on the Industry of the motion picture in Britain, our greatest overseas market.

¶ What happens in audience reactions, exhibitor problems, and in the studios as Government takes over.

This Week in

MOTION PICTURE HERALD

TIME OUT FOR RAVES!

Read what the Coast preview critics have to say about the timeliest of musicals . . . with the year's biggest personality parade!

★ "HOLLYWOOD.–TIME OUT FOR RHYTHM first-rate show . . . Top performances. Ann Miller pleases greatly with her fine dancing and singing. Her youth and those gams make a pretty eyeful. You can't go wrong on TIME OUT FOR RHYTHM!"

—FILM DAILY

★ "A cinch to hit the proper note with all classes of moviegoers. Contains practically everything in the musical book in talent, song and story. Impressive list of names. Ann Miller strikes new high. A neat entertainment package."

—LOS ANGELES EXAMINER

★ "Certainly a picture of satisfactory values . . . It will please."

—LOS ANGELES TIMES

★ "Shines and sparkles. Ann Miller's well worth the price of admission."

—LOS ANGELES EVE. HERALD & EXPRESS

★ "A fast show. This reporter predicts considerable commercial success. It is Ann Miller's picture . . . As fast a thing on feet as this town has ever seen . . . The prettiest pair of legs in show business since Ann Pennington. For those who seek quantity, it's a bargain."

—HOLLYWOOD CITIZEN-NEWS

TIME OUT FOR RHYTHM

with

Rudy VALLEE ⋆ Ann MILLER ⋆ Rosemary LANE
Allen JENKINS ⋆ Joan MERRILL ⋆ BRENDA and COBINA
The 3 STOOGES ⋆ Richard LANE ⋆ SIX HITS and a MISS
and Glen GRAY and his CASA LOMA BAND

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

VOL. 49. NO. 110 NEW YORK, U. S. A., FRIDAY, JUNE 6, 1941 TEN CENTS

Gross Decline Is Chief Topic Before MPTO

Expect Exhibitors Also To Study Television

Los Angeles, June 5.—Methods of offsetting declining theatre attendance and winning new motion picture patrons, as well as television, will command a large part of the attention of exhibitor leaders from all sections of the country in the open forum sessions which will be a feature of the MPTOA-PCCITO national convention which will open at the Ambassador Hotel here on Monday.

The attendance problem is frankly conceded by exhibitor

(*Continued on page 6*)

Exchange Managers To Meet on Defense

First of a series of defense meetings among branch managers in exchange centers, in line with the plan of the Distributors' Committee on defense to speed up distribution of defense reels around the country, will be held in the Los Angeles area and a second will be held in New Orleans.

This was revealed in an announcement by the MPPDA yesterday stat-

(*Continued on page 5*)

Report CBS Outdoor Television Effective

Columbia Broadcasting System early this week successfully televised an outdoor street scene in three color process over its new transmitter, authorities report. The network has maintained silence on the experiment, however. Colors are reported to have been easily distinguishable and reception is reported to have been very good.

This is the first known outdoor effort of color pickup over television. Dr. Peter C. Goldmark, chief television engineer for CBS, developed the color process utilized in the experiment.

NBC as well as CBS have previously demonstrated color television of live subjects.

20th-Fox Meeting Delayed to July 14

The date of the 20th Century-Fox annual sales convention here has been changed from July 9-11, as announced earlier, to July 14-16, it was announced yesterday by Herman Wobber, general manager of distribution.

Gomersall Named 'U' Western Chief

E. T. ("Peck") Gomersall yesterday was appointed Western sales manager for Universal by W. A. Scully, vice - president and general sales manager, completing the executive revision of Universal's top sales staff.

E. T. Gomersall

Gomersall, who has been Chicago district manager for the company, will be succeeded in that post by M. M. Gottlieb, who has been Chicago branch manager. A successor to Gottlieb has not yet been named.

Gomersall replaces William J. Heineman, who on Tuesday was made assistant sales manager of Universal in the executive sales realignment which brought Fred Meyers into the company as Eastern sales manager and

(*Continued on page 6*)

Columbia's Sales Meeting Opens in Chicago Tomorrow

Chicago, June 5.—Columbia home office and studio executives, division and branch managers will arrive here tomorrow to attend a two-day sales convention at the Drake Hotel, Saturday and Sunday.

The executive meeting will be followed later by a second national sales convention which will be attended by the company's entire field sales force. The date and place for the second meeting will be set during the sessions here.

Abe Montague, general sales manager, will preside at the two-day meeting at which Columbia's new season production schedule will be announced. Harry Cohn, president, will come here from the Coast by plane, and Jack Cohn, vice-president, will head the delegation of home office executives coming from New York.

In the latter group will be: Rube Jackter, assistant sales manager; Lou

(*Continued on page 5*)

'Serenade' Paces Grosses on B'way

With strong business over the Memorial Day weekend, and rain yesterday and Wednesday benefiting Broadway theatres by eliminating such outdoor competition as baseball games, the week's grosses were high.

At the Music Hall, "Penny Serenade" and a stage presentation scored

(*Continued on page 5*)

IATSE Studio Workers to Sue on Overtime, Back Pay

Hollywood, June 5.—Studio workers who are members of the IATSE will sue major and independent producers for back pay and overtime allegedly due under the Wages and Hours Act, it was announced today by union officials following unanimous agreement by business agents to follow that procedure.

Whether the suits will be filed by the locals in behalf of members or whether the members will be advised to file individual suits has not yet been determined.

If the workers are successful in their actions, the studios may be compelled to pay double the amounts due

(*Continued on page 5*)

Studio Heads Meet On Labor Problems

Hollywood, June 5.—Decreasing box-office receipts, demands of workers for wage increases and improved working conditions and rising production costs were discussed today at a meeting of Hollywood studio heads with Y. Frank Freeman, Association of M. P. Producers president.

Fred Pelton, producers' labor contact, presented proposals of the Screen Actors, Writers and Directors guilds, as well as those of other organizations and unions, and discussed the report on studio workers' wage

(*Continued on page 5*)

Plan Fight on Minn. Anti-5 In State Court

Majors Study Dropping Plan for Federal Test

Major company attorneys virtually have abandoned plans to bring an action in Federal court in Minneapolis to test the constitutionality of the state's anti-blocks-of-five law and instead are considering bringing an action in the state courts.

The change in plans was brought about by the U. S. Supreme Court decision in the Florida and Nebraska anti-Ascap law cases, in which the high court conceded the states' right to enact regulatory legislation of that kind.

The high court in that decision pointed out that the remedial procedure of those affected by such laws was first of all in the state courts.

Two courses are open to the distributors in the event they abandon their original plans for Federal court

(*Continued on page 6*)

Metro Publicists Hit SPG Political Stand

Terming actions of the New York Screen Publicists Guild on political rather than strictly union subjects to be "in bad taste" and "examples of mighty bad Americanism," a group of M-G-M home office publicists yesterday offered the Guild's record as their answer to why they have refused to join the organization.

A simliar stand was taken recently by veteran members of the Paramount home office publicity staff.

The M-G-M publicists' views were set forth in a letter to Joseph Gould, SPG president, which was signed by William Danziger, Perry Charles and Ray Bell. The letter follows:

"The undersigned are members of Metro-Goldwyn-Mayer's publicity and

(*Continued on page 8*)

In Today's Issue

"Paper Bullets" (from Hollywood) and "Hands Across the Rockies" are reviewed on Page 4. National gross tabulation, Page 2, and reports on Page 4. Arbitration developments, Page 6.

Personal Mention

ADOLPH ZUKOR, Paramount board chairman, and AUSTIN KEOUGH, vice-president and general counsel, are scheduled to leave for the Coast this weekend.

•

NATE J. BLUMBERG, Universal president, will leave for the Coast by train tonight.

•

JACK FITZGIBBONS, son of J. J. FITZGIBBONS, president of Famous Players Canadian Corp., is here awaiting assignment as a member of the U. S. Officers Reserve.

•

B. B. KREISLER, short subject sales manager for Universal, returns Monday from a trip across the country.

•

SAM HADELMAN, operator of the Capitol and Colonial in Bridgeport, Conn., has returned from Washington.

•

DAVID PALFREYMAN has arrived in Los Angeles.

•

HERBERT MORGAN of M-G-M has returned from Washington.

France Subsidizes Production of Films

The French Government has announced a plan which would virtually subsidize the French film industry in competition with foreign films, according to news dispatches reaching here from Vichy.

The Government recently issued a decree banning films exhibited in France before October, 1937. Both measures were designed to build up the French industry. The new law authorizes the state to advance up to 65 per cent of the total cost of planned films, the remainder to be supplied by the producer.

Mullen, Reichek Promoted by U. A.

Ed Mullen has been promoted to be assistant to Clarence Eiseman, manager of United Artists' New York exchange, and Herbert Reichek has been named office manager. The announcement of the promotions was made by Harry L. Gold, vice-president, and Arthur Silverstone, Eastern district manager. Mullen formerly was office manager at the exchange, and Reichek was chief booker.

Marcus Loew Dividend

TORONTO, June 5.—Marcus Loew's Theatres, Ltd., has declared a preferred dividend of 3½ per cent for the half-year period ending Dec. 31, 1940, payable June 30 to stockholders of record June 14. The company operates Loew's Theatre here, and owns the Uptown, leased to Famous Players Canadian.

15TH WEEK ON B'WAY

JEAN GABIN in original unexpurgated PEPE LE MOKO ★★★★ LIB. MAG.

Dist. by MAYER-BURSTYN

Key Grosses Reflect Drop; $1,392,600 for 156 Houses

The decline in grosses generally felt throughout the country in recent weeks is reflected in MOTION PICTURE DAILY'S compilation of key city receipts from weekly box-office reports.

For the most recent week, ending May 23-24, 156 theatres in a score of cities reported an aggregate gross of $1,392,600, and in the preceding week, ending May 16-17, 166 theatres had total combined receipts of $1,489,750. However, strong business was reported for the week ending April 18-19, with 152 houses reporting $1,638,800.

The following tabulation indicates the total gross each week and the number of theatres reporting, since the beginning of the current season, last September:

Week Ending	No of Theatres	Total Gross
Sept. 6-7, 1940	131	$1,545,900
Sept. 13-14	132	1,482,800
Sept. 20-21	136	1,343,800
Sept. 27-28	130	1,255,400
Oct. 4-5	127	1,264,300
Oct. 11-12	130	1,360,900
Oct. 18-19	131	1,359,400
Oct. 25-26	136	1,383,600
Nov. 1-2	131	1,302,600
Nov. 8-9	134	1,533,000
Nov. 15-16	126	1,285,000
Nov. 22-23	132	1,351,800
Nov. 29-30	136	1,446,000
Dec. 6-7	137	1,386,900
Dec. 13-14	133	1,253,200
Dec. 20-21	126	955,500
Dec. 27-28	128	1,106,500
Jan. 3-4, 1941	139	1,723,700
Jan. 10-11	140	1,697,500
Jan. 17-18	159	1,644,000
Jan. 24-25	150	1,624,700
Jan. 31-Feb. 1	151	1,681,700
Feb. 7-8	146	1,634,000
Feb. 14-15	144	1,447,400
Feb. 21-22	144	1,422,000
Feb. 28-March 1	146	1,601,900
March 7-8	153	1,488,500
March 14-15	162	1,532,600
March 21-22	154	1,614,400
March 28-29	161	1,612,800
April 4-5	153	1,449,300
April 11-12	148	1,384,600
April 18-19	152	1,638,800
April 25-26	154	1,540,200
May 2-3	160	1,496,400
May 9-10	166	1,540,300
May 16-17	166	1,489,750
May 23-24	156	1,392,600

(*Copyright*, 1941, *Quigley Publishing Company, Inc.*)

RKO Boat Ride Will Be Held on Monday

The first half of the annual RKO outing and boat ride will be held Monday, with all employes of RKO, including the theatre department, picture company and RKO Pathe News, included. On June 30, those unable to attend Monday's party will have their outing.

The group will spend the day at Bear Mountain, traveling aboard the *Alexander Hamilton*. The committee in charge includes: W. B. England, general chairman; James T. Dolan, Harry Mandel, Sol Schwartz, J. H. Smith, Andy Cmiel, Fred Lakeman, Clara Trieste, Rosalie Platt, Frank Howard, Joseph DiLorenzo, William Kernan, Morton Siegel, Clara Gimbel, Warren Angus, George Ronan, Lawrence Gross, Herman Silverman, Fred E. Herkowitz, Edward Smith, Jr., George O'Heron and Jean Slade.

Gold's Yacht Robbed

The yacht of Harry L. Gold, vice-president of United Artists, was stripped of its fittings, valued at approximately $2,000, by pirates, while at anchor off King's Point, L. I. The boat is the *Haliglo II*.

Grand National, Ltd., Sued Here on Loan

Grand National Pictures, Ltd., was named defendant yesterday in a suit in N. Y. Supreme Court for $14,805 damages filed by Joseph Auerbach, reportedly a former European producer who is now in New York.

Auerbach alleged that in 1939 he lent £3,500 (about $17,500 at the rate of exchange at that time) to Grafton Films, Ltd., and Isidore Goldsmith, executive of Grafton, a London firm.

In June, 1940, the complaint stated, Grand National assumed the debt in consideration for a 25 per cent interest in Grafton's film, "The Stars Look Down," and certain rights in "I Killed the Count," reportedly owned by Metro, Ltd.

Brenda Marshall Better

HOLLYWOOD, June 5.—Brenda Marshall, Warner player, is reported improving at Hollywood Hospital after an appendicitis attack.

Donlevy Due Monday

Brian Donlevy is due next Monday from the Coast for a brief vacation.

Newsreel Parade

OBITUARIES on Lou Gehrig and ex-Kaiser Wilhelm are presented in all the new issues along with assorted general news items, including the first test of the Army's giant bomber in Santa Monica, the British capture of Asmara in East Africa and Richmond women donating alu[illegible] pots and pans for national defense. The reels and their contents follow:

MOVIETONE NEWS, No. 78—Ex-Kaiser Wilhelm is dead. Biggest bomber tested in Santa Monica. Queen Elizabeth with women war workers. London women clear debris after air attack. Dog show in New Jersey. Lou Gehrig dies. Massachusetts girls in canoe races. Water tobogganing in Maine. Wellesley girls in rowing races.

NEWS OF THE DAY, No. 276—Pro-U. S. demonstration in France. Dutch East Indies army prepares. Ex-Kaiser Wilhelm dead. Bomber tested in Santa Monica. Pots and pans for national defense in Richmond. New Jersey dog show. Troops in Washington learn jiu-jitsu. Lou Gehrig dies. Illinois girls in golf tournament.

PARAMOUNT NEWS, No. 81 — Carol and Mme. Lupescu in Cuba. Dog show in New Jersey. New York girls knit for British children. Films of ex-Kaiser Wilhelm. Lou Gehrig dies. Test new Army bomber in Santa Monica. British take Asmara in East Africa; prisoners escape Italian capturers.

RKO PATHE NEWS, No. 81—British capture Asmara. Ex-Kaiser dies. U. S. troops in Trinidad. Richmond housewives donate aluminum. Biggest bomber tested in Santa Monica. Lou Gehrig dead. New Jersey dog show. Lacrosse at Annapolis.

UNIVERSAL NEWSREEL, No. 986—Army tests new bomber in Santa Monica. Greek ships join British Mediterranean fleet. Floyd Bennett Field, Brooklyn, becomes naval station. Wilhelm II dies in Holland. Richmond women donate pots and pans for national defense. Army engineers erect bridge in New Mexico. California mountain blasted. Fashions at Huntington, N. Y. Lou Gehrig dies. Army guards on the Coast learn jiu-jitsu. Dog show in New Jersey. Air show in California.

Jacksonville House Opens

JACKSONVILLE, Fla., June 5.—The St. Johns Theatre, owned by Arthur J. Siegel and Al. Leeds, opened here tonight with fanfare. Mayor George Blume and William Johnson, manager of the Chamber of Commerce, dedicated the 900-seat house in a broadcast over WJHP. Major Albert Warner, R. L. McCoy, Warners' Atlanta branch manager, and other Warner representatives were present. Sheldon Mandell will be manager.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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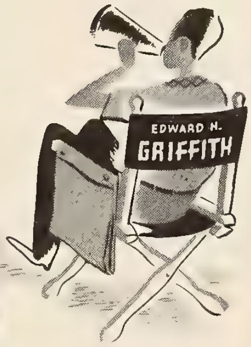
They haven't missed yet!

Fred MACMURRAY · Madeleine CARROLL



VIRGINIA VAN UPP

...AND NOW THEY'VE DONE IT AGAIN!

The love team... the producer-director... the author... that inspired foursome who made "Honeymoon in Bali" and "Virginia" now give you the show that tops anything they've ever done for romance...for thrills...for down-to-earth sock ticket-selling appeal!

PARAMOUNT'S

"One Night in Lisbon"

with Patricia Morison • Billie Burke • John Loder • Dame May Whitty • Edmund Gwenn Reginald Denny • Billy Gilbert • Produced and Directed by Edward H. Griffith

Paramount Pictures

Screen Play by Virginia Van Upp • Based on a Play by John Van Druten

Weekday English Grosses Drop 52%

London, June 5.—Weekday grosses of English theatres have dropped approximately 52 per cent, and Sunday receipts are off 30 per cent, according to an exhibitor survey. The Sunday business has risen from 14 per cent of the week's total to 20 per cent. A total of 200 theatres were included in the study.

'Attorney,' Apollon $8,000, Milwaukee

MILWAUKEE, June 5.—Dave Apollon on the stage and the film "Mr. District Attorney" took $8,000 at the Riverside.

Estimated receipts for the week ending May 29:

"Great American Broadcast" (20th-Fox)
"Trial of Mary Dugan" (M-G-M)
PALACE—(2,400) (33c-44c-55c) 9 days. Gross: $6,800. (Average, $4,000)
"Mr. District Attorney" (Rep.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Dave Apollon. Gross: $8,000. (Average, $6,500)
"Ziegfeld Girl" (M-G-M)
"Penny Serenade" (Col.)
STRAND—(1,400) (33c-44c-55c) 7 days, 2nd week. Gross: $1,500. (Average, $1,500)
"Pot O' Gold" (U.A.)
"Man-made Monster" (Univ.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $4,800. (Average, $4,500)
"Love Crazy" (M-G-M)
"The Penalty" (M-G-M)
WISCONSIN—(3,200) (33c-44c-55c) 7 days. Gross: $7,400. (Average, $5,500)

'Woman's Face' at $17,000 Baltimore

BALTIMORE, June 5.—Exceptionally hot weather most of the week affected daytime business. Evening audiences helped boost grosses to some extent. "A Woman's Face" at the Century took $17,000.

Estimated receipts for the week ending May 29:

"A Woman's Face" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $17,000. (Average, $10,000)
"I Wanted Wings" (Para.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $11,500. (Average, $9,000)
"The Great American Broadcast" (20th-Fox)
NEW—(1,581) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $8,500. (Average, $7,000)
"They Dare Not Love" (Col.)
HIPPODROME—(2205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Woody Herman and his Orchestra, with Joe and Jane McKenna. The Woodchoppers and others. Gross: $15,000. (Average, $14,000)
"Meet John Doe" (W.B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 2nd week. Gross: $13,000. (Average, $13,000)

'Ziegfeld' at $11,000 Strong in Montreal

MONTREAL, June 5.—"Ziegfeld Girl" led Montreal receipts with $11,000. "Affectionately Yours" drew $4,300.

Estimated receipts for the week ending May 29:

"Pot o' Gold" (U. A.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days, 2nd week. Gross: $2,000. (Average, $4,000)
"The Great American Broadcast" (20th-Fox)
PALACE—(2,200) (30c-45c-62c) 7 days. Gross: $3,800. (Average, $7,000)
"Ziegfeld Girl" (M-G-M)
LOEW'S—(2,900) (35c-47c-67c) 7 days. Gross: $11,000. (Average, $7,000)
"Affectionately Yours" (W. B.)
"Strange Alibi" (W. B.)
CAPITOL—(2,800) (30c-45c-62c) 7 days. Gross: $4,300. (Average, $4,000)
"The Man Who Lost Himself" (Univ.)
"Mr. Dynamite" (Univ.)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $2,300. (Average, $2,500)

Hollywood Reviews

"Paper Bullets"

(Producers Releasing Corp.)

Hollywood, June 5

THIS first Kozinsky Bros. production, and first Producers Releasing Corp. picture to be given a Hollywood preview, is a good melodrama. Well directed from a satisfactory story and competently acted, it ranks as screen entertainment at the top of its class.

The cast includes Joan Woodbury, Jack LaRue, Linda Ware, John Archer, Philip Trent, Alan Ladd, Gavin Gordon and Vince Barnett. Maurice Kozinsky was producer and Franklin Kozinsky associate. Phil Rosen directed. The musical direction was handled by Johnny Lange and Lew Porter. Two songs, "I Know, I Know" and "Blue Is the Day," are sung by Linda Ware.

The story is that of a girl, Joan Woodbury, convicted of a crime which she did not commit, and who later directed a racket syndicate as an instrument of revenge on a would-be reformer who had her sent to jail. After her marriage to a life-long friend, played by Archer, and her decision to establish a playground to give other children a better chance than she had, the syndicate partners are arrested and convicted. The picture ends with her husband saying he will wait for her and children enjoying the new playground. Chief support is given by Jack LaRue as a member of the racket group and Linda Ware, a friend.

Running time, 70 minutes. "G."*

"Hands Across the Rockies"

(Columbia)

Hollywood, June 5

COMPLETELY routine screen fare is this latest of the "Wild Bill Hickok Adventures" starring Bill Elliott. With the exception of Eddy Waller, who enacts a comedy role as a circuit court judge, small support is lent Elliott by a cast including Mary Dailey, Dub Taylor Kenneth MacDonald, Frank LaRue, Donald Curtis, Tom Moray and Stanley Brown.

Elliott comes to the small town of Independence in order to avenge the death of his friend's father, and in so doing discovers that the only witness is a girl who is being forced to marry the murderer in order to prevent her testifying against him. He tracks down the murderer and also enables the girl to marry the boy she loves.

The picture was produced by Leon Barsha, obviously on a limited budget, and directed by Norbert Davis with emphasis on comedy rather than action elements.

Running time, 57 minutes. "G."* W. S.

**"G" denotes general classification.*

'Crazy' Is $9,000 Minneapolis Lead

MINNEAPOLIS, June 5. — "Love Crazy" attracted a healthy $9,000 at the State. "The People vs. Dr. Kildare" drew $4,500 at the Century.

Estimated receipts for the week ending May 29:

"Reaching for the Sun" (Para.) 5 days.
"A Woman's Face" (M-G-M) 2 days.
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. Gross: $3,000, $2,800 respectively, total $5,800. (Average, $5,500)
"Love Crazy" (M-G-M)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $9,000. (Average, $6,000)
"So Ends Our Night" (U. A.) 4 days, 3rd week
"There's Magic in Music" (Para.) 3 days
WORLD—(350) (28c-39c-44c-55c) 7 days. Gross: $800, $600, respectively, total $1,400. (Average, $1,600)
"The People vs. Dr. Kildare" (M-G-M)
CENTURY—(1,600) (28c-44c) 7 days. Gross: $4,500. (Average, $4,000)
"Rage in Heaven" (M-G-M)
GOPHER—(998) (28c) 7 days. Gross: $2,500. (Average, $2,500)
"Murder Among Friends" (20th-Fox) 4 days
"Wild Man of Borneo" (M-G-M) 4 days
"Ride on Vaquero" (20th-Fox) 3 days
"Repent at Leisure" (RKO) 3 days
ASTER—(900) (15c-28c) 7 days. Gross: $1,800. (Average, $1,800)

W. B. Re-Sign Sutherland

HOLLYWOOD, June 5.—Warners have signed Edward Sutherland to a new contract as director.

Set New Pay Scales In Montreal Houses

MONTREAL, June 5.—Minimum rates of pay for employes of motion picture theatres in Montreal are guaranteed by a new Provincial decree.

Under the setup, managers must draw a minimum of $30 per week; projectionists 60 cents an hour, qualified maintenance men, 55 cents an hour, non-qualified maintenance men 40 cents, and ushers and porters 25 cents an hour. Stagehands and musicians employed for at least four days in a week will be rated at 60 cents an hour and if employed less than four days in a single week must be paid from $2 to $5 per day.

The rate for all other employes is 26 cents an hour. The ruling provides that tips are to be the exclusive property of the employes and that uniforms must be provided and maintained by the employer. It also provides that with certain exceptions the regular work week is limited to 54 hours and the employe is entitled to a full day's rest per week or, instead of a full day, two rest periods of 18 hours each.

Lust Takes Md. Theatre

WASHINGTON, June 5.—Sidney Lust has taken over operation of the Waldorf Theatre, in Waldorf, Md., from Isaac Weiner.

1 Film Condemned By Ontario Censors

TORONTO, June 5.—Only one feature was condemned by the Ontario Board of Motion Picture Censors during the year ended March 31, last, out of 485 examined, according to the annual report of O. J. Silverthorne, chairman of the board.

Of the total, 132 features were approved after alterations. The total number of eliminations in feature [illegible] 1,496.

The board examined 1,988 films of all kinds during the year, and 209 alterations were made in all subjects. This compares with 2,278 films submitted during the previous year, of which 184 were altered before approval. No films were condemned during that year.

In spite of war censorship, only 19 newsreels were altered during the past year out of a total of 261. There was a substantial decrease in the number of foreign films submitted for examination, with only two examined. Both were approved.

Films of all kinds from the United States totaled 1,903, of which 181 were altered, while 67 were imported from Great Britain. Of the latter 28 were altered before approval. Silverthorne reported the number of licensed theatres in Canada at the end of last March totaled 400, an increase of 20 per cent over the total of four years ago. There were 761 licensed projectionists and 241 apprentices, for a total of 1,002.

Canadian Theatres Aid War Loan Drive

TORONTO, June 5.—N. L. Nathanson, former president of Famous Players Canadian Corp., presided at an executive meeting of the Motion Picture War Service Committee, sponsored by the Canadian Picture Pioneers, when arrangements were made for the holding of a "War Loan Week" among all Canadian theatres, commencing Monday as a part of the drive of the Dominion Government to float a $600,000,000 loan for war purposes by popular subscription. The full cooperation of exhibitors from Coast to Coast was assured the Government regardless of the new Federal 20 per cent amusement tax.

Officers present included Chairman Nathanson, President Clair Hague of the Pioneers, N. A. Taylor of 20th Century Theatres, Harry Alexander, who represented the independents; O. R. Hanson, H. C. D. Main and Col. John A. Cooper, chairman of the Motion Picture Distributors of Canada.

Ill. Allied Delays Double Bill Action

CHICAGO, June 5.—Illinois Allied has decided to postpone action on the double and triple feature problem pending the disposal of the Sandquist bill in the Illinois legislature. The bill provides that film programs may not run longer than 135 minutes, unless there is a 15-minute intermission each hour.

Jack Kirsch, president of the organization, has called another meeting for June 18. Approximately 70 members attended yesterday's meeting at the Congress Hotel.

Columbia's Sales Meeting Opens in Chicago Tomorrow

(*Continued from page* 1)

Astor and Lou Weinberg, circuit sales supervisors; M. J. Weisfeldt, short subjects sales supervisor; Hank Kaufman, Bernard Zeeman, Maurice Grad, George Josephs, Seth Raisler, Vincent Bo[illegible] and Joseph Freiberg.

[illegible]d A. Lipton, advertising and publicity director, has been here for several days and will remain for the convention.

Division managers who will attend are: Som Moscow, Southern; Phil Dunas, Midwestern; Carl Shalit, Central; Sam Galanty, Mid-East; Jerome Safron, Western, and Nat Cohn, New York division.

Branch managers who will attend are: R. J. Ingram, Atlanta; Joseph Gins, Charlotte; J. B. Underwood, Dallas; J. J. Rogers, Memphis; C. A. Gibbs, Oklahoma City; H. Duvall, New Orleans; M. H. Evidon, Des Moines; O. J. Ruby, Milwaukee; H. J. Chapman, Minneapolis; J. H. Jacobs, Omaha; W. G. Craig, Indianapolis; B. C. Marcus, Kansas City; C. D. Hill, St. Louis; A. S. Moritz, Cincinnati; L. Zucker, Cleveland, and A. H. Levy, Pittsburgh.

Also, R. C. Hill, Denver; W. C. Ball, Los Angeles; J. R. Beale, Portland; W. G. Seib, Salt Lake City; L. E. Tillman, San Francisco; L. N. Walton, Seattle; Irving Wormser and Saul Trauner, New York; Joseph Miller, Albany; I. H. Rogovin, Boston; Phil Fox, Buffalo; T. F. O'Toole, New Haven, and H. E. Weiner, Philadelphia.

'Serenade' Paces Grosses on B'way

(*Continued from page* 1)

an estimated $90,000 in its second week, ending Wednesday, which was stronger than the first week's figure. The third week started yesterday.

"Citizen Kane" drew an estimated $15,500 in the fifth week at the Palace, ending Wednesday, the sixth week beginning yesterday. The film's gross was aided by a strong matinee yesterday, and by the introduction of a 55-cent matinee price and the allocation of a group of orchestra seats at $1.50.

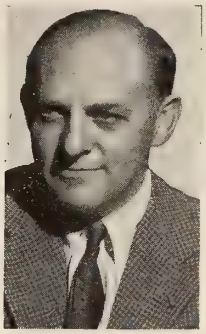
"Blood and Sand" at the Roxy with a stage show scored an estimated $44,700 in the second week, ending Wednesday. The third week started yesterday. "Man Hunt" will go in a week from today, marking a reversion to the theatre's original Friday starting day.

At the Globe, "Devil Dogs of the Air" is expected to finish its first week tonight with an estimated $7,500. The film will be held over. "I'll Wait for You" will complete a week's run at the Rialto tonight with $4,700 expected. "The Nurse's Secret" will begin tomorrow.

Reopen Wisconsin House

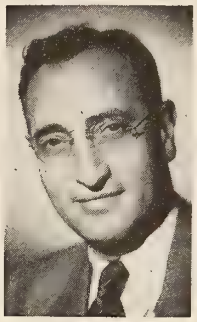
SHEBOYGAN, WIS., June 5 — Warner Theatres have reopened the Majestic Theatre here, remodeled at a cost of about $12,000. The house has been provided with a new front, canopy, seats and sound equipment. Leo Schuessler continues as manager of the house.

Columbia Executives at Chicago Meeting

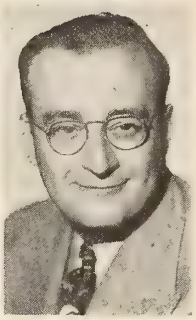


HARRY COHN
President of Columbia

JACK COHN
Vice-President of Columbia

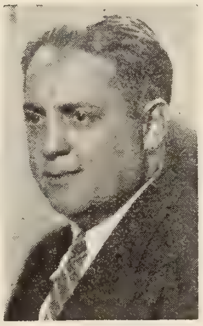


ABE MONTAGUE
General Sales Manager



RUBE JACKTER
Assistant Sales Manager

LOUIS ASTOR
Circuit Sales Supervisor



L. WEINBERG
Circuit Sales Supervisor

M. WEISFELDT
Short Subject Sales Head

DAVID LIPTON
Advertising and Publicity Head

IATSE Studio Workers to Sue on Overtime, Back Pay

(*Continued from page* 1)

in addition to attorney fees and court costs, observers said.

It is reported that the amount for which the studios may be liable would possibly be in the neighborhood of $1,500,000. The unions have claimed about $3,000,000, with some individuals having alleged $3,000 due them.

The course of the unions other than the IATSE is not yet known. The IATSE studio locals have about 10,000 members, with an estimated 4,000 declared exempt from provisions of the Wages and Hours Act.

Observers said that the studios are now placed in a position of having lived up to union contracts, some of which call for 54 hours a week and others 48 hours, and now facing the possibility of being penalized for it.

The decision to bring suits was made last night following announcement of the classification of industry workers by Merle D. Vincent of the Wages and Hours Division of the Department of Labor.

Meanwhile, Pat Casey, producers' labor contact, returned today from New York and said no arrangements have as yet been made to meet with the unions who presented bargaining demands in his absence.

The IATSE locals which have embarked on a program of conducting their own negotiations without the assistance of the international officers have decided to make their business agents committee a permanent organization, with additional representatives and its own constitution and by-laws.

The new organization, similar to district councils of other international unions, will act for the locals in all negotiations in the interest of a "united front."

Preliminary organization work for the permanent group was done tonight at a meeting of a special committee headed by Harold V. Smith, Sound Technicians representative, who is acting chairman.

It was learned that several business representatives have attempted to have a resolution adopted calling on George E. Browne and Willie Bioff to resign because of their New York extortion indictments. This was attempted at the first meeting of business agents called on the day of the indictments, but a policy of "watchful waiting" was adopted.

Studio Heads Meet On Labor Problems

(*Continued from page* 1)

and hour classifications. All labor negotiating committees of the producers' association were present.

Among those attending were Louis B. Mayer, E. J. Mannix, Joseph M. Schenck, William Goetz, Harry Cohn, B. B. Kahane, Sol Siegel, E. H. Goldstein, Harry M. Warner, Jack L. Warner, Samuel Goldwyn, Cliff Work, Hal Roach, J. R. McDonough, Fred W. Beetson. Company attorneys also were present.

Exchange Managers To Meet on Defense

(*Continued from page* 1)

ing that Francis Harmon, Co-ordinator of the Motion Picture Committee Cooperating for National Defense, will attend both these meetings. After the Los Angeles session, upon his return trip to New York he will stop en route to meet with the New Orleans managers. Meetings in other exchange centers will follow.

Harmon will leave for Los Angeles today, the announcement stated, and during his three weeks' stay on the Coast, not only will address the MPTOA convention, as previously reported, but also intends to confer with Y. Frank Freeman, Production Code officials, and the Associates of Y.M.C.A., a group of 70 business and professional men.

Jack Dillon, 20th Century-Fox branch manager in Los Angeles, it was revealed, is chairman of the exchange men in that area.

Pa. Sunday Bill Now Goes to Conference

HARRISBURG, PA., June 5.—Following refusal of the Pennsylvania House to accept the proposed Senate amendments to the existing state law on local option referenda on Sunday films, the measure has gone to a conference committee.

The House amendment proposes that 35 per cent instead of five per cent of the voters of the leading party in the previous election must petition for a referendum, while the Senate proposed 20 per cent.

Gross Decline Is Chief Topic Before MPTO

(Continued from page 1)

leaders here to be serious, affecting as it does the entire industry. For this reason, it will be made "the first order of business throughout the convention," taking precedence over such timely topics as the new method of film buying and selling under the consent decree, which is expected to get under way next month in anticipation of Aug. 31 releases.

MPTOA leaders here concede that no ready solution of the problem is at hand to offer to the convention, but lacking that, they assert that the "next best thing is realistic consideration of the facts and problems presented" in a national exhibitor forum.

Gradwell L. Sears, Warners general sales manager, and Hal Roach, United Artists producer, have been added to the convention speakers' list.

Sessions Start Tuesday

MPTOA sessions will be held Tuesday, Wednesday and Thursday afternoons, with registration and entertainment occupying Monday.

PCCITO sessions will be held mornings, Monday through Thursday. Robert H. Poole, executive secretary, will open the Monday session, at which Mary Pickford will be a guest of honor. L. O. Lukan, a trustee, will speak on dual bills; Albert J. Law, general counsel, on Ascap, and LeRoy B. Johnson, treasurer of the Oregon unit, on membership duties.

Ed Kuykendall, MPTOA president, will address the Tuesday morning session, and the open forum on national exhibitor problems will be opened immediately afterward under the chairmanship of H. V. Harvey. Lukan will conduct the open forum on Wednesday. Jack Y. Berman, trustee, will preside at the Thursday morning session.

Cut Prices in St. Louis

ST. LOUIS, June 5.—The Fox, 5,000-seat house operated by Fanchon & Marco here, has cut its prices for the Summer to 20 cents to 1 P.M., 30 cents to 6 P.M., and 40 cents thereafter, a reduction of 10 cents.

Toronto Blackout Scheduled June 18

Toronto, June 5.—Toronto's often planned blackout is scheduled to be held June 18, in a test of Air Raid Precautions organizations, providing this date meets with the approval of the Federal authorities. The majority of exhibitors have arranged to distribute pass-out checks to patrons who want to leave the theatre for the blackout period.

All theatres in Ontario have been equipped with emergency lighting systems for interior lighting only. They are not of sufficient strength to operate the projection machines.

Showmanship Flashes

Glamour Key of Spokane Campaign on 'Ziegfeld'

SPOKANE, Wash., June 5. — James Keefe, local Evergreen publicity director, for "Ziegfeld Girl," arranged tieups with two papers on Dorothy Dean cooking school "glamour dishes" and glamour girls modeling glamour clothes." Also full-page promotion ads with a leading department store and a woman's specialty shop, featuring glamour clothes, were set.

Photo Search Features 'Hamilton' Campaign

Atlanta, June 5. — For "That Hamilton Woman" at Loew's Grand here, Edward Pentecost, manager, in cooperation with The Constitution, *conducted a contest. Photographs of a girl, with her face hidden, were run daily in the paper, and pedestrians correctly identifying the girl were given tickets to the film.*

Effective Lobby Display Used for 'Correspondent'

SAN FRANCISCO, June 5.—An effective lobby display was featured by the Midtown Theatre prior to the opening of "Foreign Correspondent." It consisted of an eight by twelve foot map of the world, with photos of leading newspaper and radio correspondents at the sides, and pieces of tape drawn from each correspondent's name to the particular European capital from which the writer sends his copy—written or radioed. At bottom were stills from the film.

Stage 'Doe Hunt' to Aid 'John Doe' in Sheboygan

SHEBOYGAN, Wis., June 5. — Marlowe Conner, manager of Warner's Sheboygan Theatre, enlisted the cooperation of seven local merchants in staging a "Doe Hunt" as an exploitation stunt for "Meet John Doe." The person identifying John Doe between 8 and 8:30 P.M. on a Wednesday evening making purchases in the cooperating stores was awarded a prize.

Radio Tieups Arranged On 'Million Dollar Baby'

A series of guest appearances on leading radio programs by Priscilla Lane, star of the film, features the extensive radio promotion campaign arranged by Warners on "Million Dollar Baby." Also on the air in guest spots are May Robson, Jeffrey Lynn and Ronald Reagan, the other leading players in the picture. Also part of the campaign is active selling of the hit song of some years ago, "I Found a Million Dollar Baby in a Five and Ten Cent Store."

Radio Talent Contest Used for 'Broadcast'

In connection with the run of "The Great American Broadcast" at the RKO Albee in Brooklyn, a radio talent contest was held. A voice recording apparatus was installed, with a sound engineer to supervise and coach contestants. The recordings of voices were judged by a committee of radio editors of New York and Brooklyn newspapers

See Concession on English Manpower

LONDON, June 5.—The industry has become increasingly confident that the Government will make some concessions in the matter of exemptions from military service for technical employes of the industry.

Following individual conferences with the Board of Trade and the Ministry of Labor, producers are optimistic. At next week's meeting of the committee studying the industry's manpower needs, it is expected the broad outline of the Government's intentions will be disclosed.

An exhibitor deputation will meet Government officials at Whitehall tomorrow to reiterate their plea for exemptions to prevent the closing of theatres, as threatened by a shortage of projectionists. It is believed in some quarters that a minimum concession of 50 per cent will be made. It is not expected that the reservation age will be lowered.

Plan Fight on Minn. Law in State Court

(Continued from page 1)

action. The first is to institute state court action challenging the law; the second, to await state enforcement of the statute, which would provide a case to test the law.

Minnesota attorneys for the distributors are completing a study of the Supreme Court's Ascap decision in the Florida and Nebraska cases and are expected to submit their opinion to distributors' home offices within a few days.

Gomersall Named 'U' Western Chief

(Continued from page 1)

made F. J. A. McCarthy Southern and Canadian sales manager.

Gomersall has been with Universal since 1930. Prior to that he was with Fox Film Corp. for 11 years and spent several years with the old Goldwyn Company. In his new post he will be in charge of the following exchanges: Chicago, Detroit, Milwaukee, Minneapolis, Kansas City, Omaha, Des Moines, Denver, Salt Lake City, Los Angeles, Portland, Seattle and San Francisco.

MOTION PICTURE DAILY yesterday indicated Gomersall's appointment as Western sales chief.

Bitter Fight Seen in Equity Voting Today

One of the most bitterly contested elections of recent years is expected today at the annual meeting of Actors Equity, scheduled for 2 P.M. at the Hotel Astor. The Communism issue, long a factor in Equity council meetings, has come up during the pre-election campaigns.

Although there are only 10 vacancies on the council, the nominating committee named a slate of 15 "regular" candidates. In addition, eight candidates have been named on an "independent" ticket. Alan Hewitt, a present member of the council, was denied renomination on the regular slate and is leading the fight of the independent candidates.

Paterson Clearance Complaint Settled; Decision in Denver

An agreement was reached yesterday settling the arbitration clearance complaint of the Majestic Theatre, Paterson, N. J., which is to be withdrawn from the New York board when stipulations of the settlement are signed by counsel for the five consenting companies.

Terms of the settlement were not made known. The complaint named Brandt's State in Paterson, in addition to the "Big 5."

Meanwhile, New York's 14th complaint and Philadelphia's seventh were filed, and a "split" decision was given in Denver in the case of the Star Theatre, Fort Lupton, Colo.

Companies Win Two Points

The Denver complaint was filed March 31 by E. K. Menagh, owner of the Star, against the five consenting companies and the Rex, Brighton, Colo. The case involved complaints of withholding prints, inability to obtain some run and clearance. The arbitrator ruled in favor of the distributor defendants on the first two points, and dismissed those complaints. On the third point, he ruled that the clearance of the Rex should not exceed three days over the Star, representing a victory for the exhibitor plaintiff. Costs of the case were assessed equally against plaintiff and defendants. John A. Carroll was the arbitrator.

Newburgh House Named

New York's 14th complaint was filed by the Cornwall Amusement Corp., operator of the Storm King Theatre, Cornwall-on-Hudson, against the consenting companies, and the Broadway and Ritz theatres, Newburgh. It charges that the latter two houses have 30 days' clearance over the Storm King, and asks a reduction to seven days.

Philadelphia's seventh complaint was filed by N. Herman Bornstein, operator of the Hatboro Theatre in suburban Hatboro, against Paramount, RKO and Loew's, and names Warners' Grove Theatre, Willow Grove, Pa. The complaint asks that the Grove's seven-day clearance over the Hatboro be eliminated so that the latter may play immediately after the Grove.

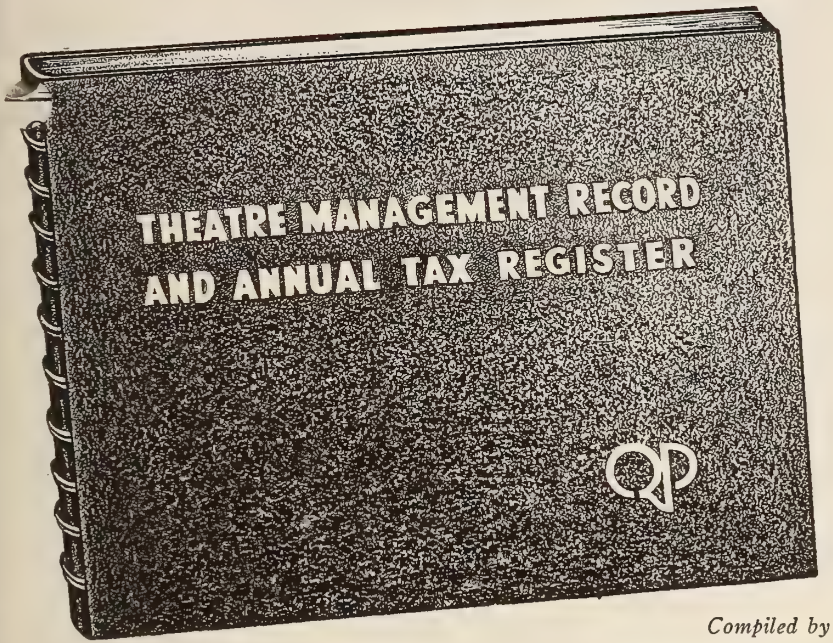
Hearing of the clearance complaint of the Andora Amusement Corp., Plainfield, N. J., against the five consenting companies was adjourned to June 13 after hearings were resumed at the New York board yesterday for several hours.

Eaton Heads Canada Projectionists Union

TORONTO, June 5.—The National Union of Theatrical Employes, which includes union projectionists in theatres throughout Ontario, has elected George Eaton of Orillia as president in succession to T. N. Fairley, while Jack Shilling has succeeded H. M. Hallett as treasurer. A. R. Pura has become business agent.

With the absorption of the Hanson theatre circuit by Famous Players Canadian Corp., the National Union members have become employes of the latter circuit as the agreement with the former Hanson company does not expire until November, 1942.

Guard Against Losses!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Uses Air Time for Drive-In Theatre

Albany, June 5.—Neil Hellman, independent exhibitor who operates the Royal and Paramount here and the Palace in Troy, is using radio time to publicize his 400-car drive-in theatre near here. Spot announcements have been broadcast over WTRY, Troy, and WOKO, Albany, as well as a quiz program on the latter station.

See Network-Ascap Agreement Nearer

The recent Supreme Court decision upholding the Florida and Nebraska anti-Ascap laws is understood to have brought NBC and CBS much closer to an agreement with Ascap. Negotians between Ascap and the networks were resumed yesterday.

The negotiations were interrupted by the Senate Interstate Commerce Committee hearings in Washington this week, after having been complicated earlier by the Supreme Court decision. The decision injected new complications into the negotiations since, under the state laws, the networks would be unable to collect from affiliated stations in those states on Ascap contracts calling for payments at the source.

It is estimated that two or three days of legal work will be required to put the licensing provisions in proper form once an agreement has been reached.

Appeals Court Hears AGMA-AFM Dispute

ALBANY, June 5.—The N. Y. Court of Appeals today heard arguments on the appeal of the American Guild of Musical Artists from the lower court order dismissing its petition for an injunction against the American Federation of Musicians and James Petrillo, AFM president.

AGMA, Lawrence Tibbett, Gladys Swarthout and other AGMA officials and members are appealing on wheth- or not instrumental and vocal arttists may be compelled to become members of the AFM as a condition for union musicians to perform with them. Samuel Seabury represented Petrillo and the AFM and Louis Boudin appeared for AGMA.

Zenith Corp. Profit $1,236,438 for Year

CHICAGO, June 5.—Zenith Radio Corp. has reported a net profit of $1,236,438 for the year ended April 30, the second largest profit in the history of the company. The company earned $738,003 in its previous fiscal year.

Mrs. Kenny Rites Set

Funeral services will take place tomorrow at the Walter B. Cooke funeral parlor in Stapleton, S. I., for Josephine Kenny, 84, mother of Nick Kenny, radio editor of the New York *Mirror*. Mrs. Kenny died Wednesday at her Summer home at Monroe, N. Y. Burial will take place in the Moravian Cemetery.

Off the Antenna

THREE NBC-Blue affiliates are moving up to higher power assignments. KOB, Albuquerque, N. M., has notified the network that it expects to start operations with maximum power of 50,000 watts this week. KECA, Los Angeles, went to 5,000 watts last Friday. KCRC, Enid, Okla., has advised NBC that it will be ready to operate with 1,000 watts instead of its present 250 by about Sept. 1.

• • •

Purely Personal: *Lou Frankel, formerly radio editor of* Tide, *has been named director of publicity and special events for WBYN, the new Brooklyn station recently formed by the merger of four part-time outlets. . . . H. V. Kaltenborn will be guest of Eddie Cantor on "Time to Smile" over NBC-Red Wednesday. . . . Parks Simmons, formerly of WCKY, Cincinnati, has joined the announcing staff of WJSV, Washington. . . . Robert E. Sherwood, the playwright, will speak on "National Morale" over CBS Sunday at* 7:15 *P.M. . . . Milton Berle will be guest of Bill Stern on "Sports Newsreel of the Air" over NBC-Blue Sunday, June* 15.

• • •

WNYC will broadcast the play-by-play description of the professional tennis matches today, Saturday and Sunday. Highlight of the tournament will be a match game by four well-known radio figures who have appeared as regulars or guests of "Information, Please," Franklin P. Adams, John Kieran, Deems Taylor and Boris Karloff. Joe Hasel and George Ward will handle the announcing assignment.

• • •

Don Dunphy has been selected to handle the blow-by-blow descriptions of the boxing bouts promoted by Mike Jacobs, starting with the Louis-Conn fight June 18, which will be broadcast by Mutual under the sponsorship of Gillette Safety Razor Co. Dunphy has done boxing broadcasts over WINS, where he is chief sports announcer, but has never engaged in a network assignment. Bill Corum, sports columnist of the *Journal-American,* will narrate between rounds. Joe Louis will make a guest appearance on "Fight Camp" Sunday to aid WOR launch its new program.

The Bob Pastor-Buddy Scott fight broadcast June 16 will be over NBC-Blue. Adam Hats will sponsor. Sam Taub and Bill Stern will do the announcing.

• • •

Program News: *P. Lorillard Co. has renewed "Don't Be Personal" over the CBS Pacific network, effective July* 6. *The program is heard Sundays* 8:30-9 *P.M. PST. . . . WINS will put on a program for the Actors Fund benefit Sunday* 6-6:30 *P.M. Participating will be Walter Vincent, president of the Fund, Vinton Freedley, Monty Woolley, Sheila Barrett, Alan Dinehart and J. C. Flippen. . . . Andrew Jergens Co. has renewed for another* 39 *weeks, effective July* 2, *the half-hour spot from* 8 *to* 8:30 *P.M. Wednesdays over* 66 *NBC-Red stations. Two* 15-*minute shows now occupy the time for the sponsor, "Tony Martin from Hollywood" and "How Did You Meet?" but a half-hour dramatic program is being considered as a Summer replacement. . . . WOV will air a* 15-*minute program Sundays* 6:15-6:30 *P.M. for the Legion for American Unity. The organization consists of foreign born citizens and is headed by Supreme Court Justice Ferdinand Pecora and Dean Alfange, who will inaugurate the series.*

• • •

About 50 of WOR's employes are expected to attend a staff party at the station's transmitter at Carteret, N. J., tomorrow. Charles Singer, engineer in charge, will explain the transmitter's operations.

Theatre Changes

Indiana-Illinois Changes

CHICAGO, June 5.—Indiana-Illinois Theatres have made several management changes. Mel Blieden will be replaced at the Vogue, East Chicago, Ind., by Ray Helson, of the Jefferson, Goshen, Ind. Floyd Robinson of the Lincoln in Goshen, will replace Helson. Mike Evon has replaced Robert Griffith, resigned, as manager of the Gayety here, and Ben Van Korn has replaced Donald Johnson, resigned, as manager of the Lex here.

Takes Over Ontario House

TORONTO, June 5.—Leo Clavir, formerly of Toronto, has acquired the Capitol Theatre at Leamington, Ont., and Norman Clavir, his brother, has been named manager of the house. Last year Leo, who was formerly in the independent film exchange business here, took over the Capitol at Woodstock, Ont.

Re-Seats Iowa House

LAURENS, IA., June 5.—Mrs. Mona Fair has installed new seats in the Elite Theatre.

Buys Connecticut House

MIDDLETOWN, Conn., June 5.—Connecticut River Realty Corp., a Morris and Daniel Pouzzner corporation, has purchased the 1,400-seat Middlesex Theatre, built and owned by Franklyn S. Arrigoni, but leased for the past two years by the Pouzzner interests. A new entrance is planned.

2 Shut in Indianapolis

INDIANAPOLIS, June 5.—The 3,200-seat Indiana has closed for the Summer and probably will re-open in mid-September. The house has been dark throughout the hot months for several years. Also closed was the Fox, which presents shows of the Midwest Burlesque Circuit and an occasional motion picture.

New Jersey House Opens

NEWARK, June 5.—The new Colony Theatre in Livingston, N. J., has opened, with Edward Maillard as managing director. The house is situated about 12 miles west of Newark. The policy will be split weeks.

Political Stand of SPG Hit by Three Metro Publicists

(*Continued from page* 1)

advertising departments. As eligibles we've been invited to join the Screen Publicists Guild, but this we have not done. Nor have we cited reasons for not joining to those who have suggested this affiliation. It is a c[illegible]on decency to our colleagues [illegible]ch prompts this letter making known those reasons that have kept us from casting our lot with the Guild.

"We believe in the principle of individual enterprise and initiative and creative effort. Yet, believing firmly in this, we must recognize the value and perhaps the need of craftsmen banding together in common understanding to attain a common goal. Perhaps by such unionization can the individuals achieve a voice in the activities of their respective employments as it affects them and their future. We believe that a good union can be instrumental in bringing about a happy, harmonious understanding between employer and employees; a relationship that could result in advantages for both.

'Doubts Have Arisen'

"When an individual is asked to join an organization, it is but natural that he give more than casual inspection to its purposes, the work it is pledged to do, the work it has done, and the types of leaders it has selected to guide it. It is as a result of this inquiry that certain doubts have arisen precluding our affiliation with the SPG.

"It is difficult to grant acceptance to a newly constituted body which announces itself as for one function and in practice contradicts itself.

"If our governmental leaders find selective service essential to National Defense, any individual has a constitutional right to disapprove, if he does disapprove. But the Guild has seen fit to officially voice its dissent as the opinion of all of its members. Why?

"The Guild, or its elected representatives, has similarly challenged other actions of our Federal Government. Why has the Guild, or its elected officers, found it necessary to focus its energies on matters wholly political in character and absolutely foreign to the purposes for which the Guild was created? These actions are ostensibly in bad taste and in these days of needed national unity examples of mighty bad Americanism. We must not forget that only in a Democracy such as ours can Guilds such as this come into being, flourish and thrive. While unions should concern themselves with the attainment of their objectives, they should guard at all times against any encroachment on the democratic processes.

Place in Industry for Guild

"We believe that there is a definite place in this industry for a Screen Publicists Guild. But that Guild must be a good one, a strong one, and must be patterned on lines of sincerity.

"We should like nothing better than to join with our fellow publicists in a work dedicated to our mutual betterment. But we cannot with good conscience lend our support to an organization which we do not believe is 'minding its business,' which is too easily forgetting its true objectives."

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

[illegible]. 49. NO. 111 NEW YORK, U. S. A., MONDAY, JUNE 9, 1941 TEN CENTS

103 Pictures For Release This Summer

Big Pictures Designed To Offset Slump

By SAM SHAIN

All of the major distributors, Republic and Monogram, too, are preparing to give the summer blues, the war jitters, and the depression nerves, a healthy swat, with 103 important films, which will be offered to exhibitors between now and the end of August.

Metro-Goldwyn-Mayer has 10 big ones scheduled; Columbia, 15; Monogram, 12; Paramount, 11; 20th Century-Fox, 7; United Artists, 6; Republic, 13; Universal, 13; Warners, 13; RKO, 3.

Exhibitors who have been worrying about the kind of product and in what quantity the film will flow from now until the consent decree selling gets under way can write their own answer.

Motion Picture Daily scouted the Hollywood situation and scanned the

(*Continued on page* 6)

Name Local Branch Groups for Defense

The Distributors Division of the Motion Picture Committee Cooperating for National Defense, through William A. Scully, chairman, has appointed committee chairmen in each exchange area to assist in the defense program.

Francis S. Harmon, coordinator, has announced that three new defense

(*Continued on page* 8)

Rialto, NBC Discuss Television Pickups

Whether the Rialto Theatre needs permission to pick up NBC programs off the air for its large screen television and whether NBC would be willing to grant such permission, if required, were the subjects of preliminary conferences held late last week between Alfred H. Morton, NBC vice-president in charge of television, and Arthur Mayer, Rialto managing director. Mayer stated that arrangements have been made with DuMont. Further conferences will be held this week.

$988,191 RKO Loss For 1940; Profit Shown in Quarter

RKO reported consolidated net loss for 1940 of $988,191, after all charges, provision for taxes and contingencies in the amount of $794,600 to cover foreign investments and blocked currencies abroad.

Operations for the first quarter of the current year, on a consolidated basis, "have resulted in a substantial profit," George J. Schaefer, president, states in a letter to stockholders accompanying the report.

Results for the preceding several years were not on a comparable basis since the company was in reorganization up to Jan. 1, 1940, and the year covered by the report was the first since the RKO reorganization.

The company's consolidated balance sheet reveals a strong working basis with cash amounting to $7,322,086, current and working assets of $17,-

(*Continued on page* 9)

N. J. Allied Meet Will Discuss Attendance

Atlantic City, June 8.—The 22nd annual convention of New Jersey Allied, to be held in Atlantic City next Wednesday, Thursday and Friday, will concentrate its attention on the current decline in theatre grosses.

The meeting, to be held at the Ritz-Carlton Hotel, also will include a

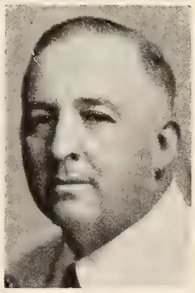
(*Continued on page* 8)

EXHIBITORS IN L. A. FOR MPTOA MEET

1,000 Expected at Joint Sessions with PCCITO; Board Meets Today

President Roosevelt's greeting to convention and pictures of organization officials, Page 4.

Los Angeles, June 8.—The reelection of all officers of MPTOA, headed by Ed Kuykendall, president, is scheduled to start off the national exhibitor organization's annual convention at the board of directors' meeting at the Ambassador Hotel here tomorrow.



Ed Kuykendall

Indications are, however, that the post of general counsel, unfilled since the resignation of Frank C. Walker several months ago, will be left vacant for the time being.

Other officers scheduled for reelection are: Fred Wehrenberg, chairman of the board; Morris Loewenstein, secretary; Walter Vincent, treasurer, and Walker, M. A. Lightman, Mitchell Wolfson, E. C. Beatty and A. Julian Brylawski, vice-presidents.

Approximately 1,000 delegates and guests of the MPTOA and PCCITO, the latter organization acting as convention host, are expected to attend the four-day convention.

Registration of the California-Arizona, Washington and Oregon or-

(*Continued on page* 4)

Wobber and Skouras Plan Trip to West

Herman Wobber, general manager of distribution of 20th Century-Fox, and Spyros Skouras, head of National Theatres, are expected to leave next Monday on a trip to set new season product deals with three of the circuit's divisions. Meetings will be held in Milwaukee, Kansas City and Denver, with the respective circuit division heads, H. J. Fitzgerald, E. C. Rhoden and Rick Ricketson, participating.

The deals with the West Coast

(*Continued on page* 8)

Col. Outlines 40 of 48 New Season Films

Chicago, June 8.—More than 40 specific productions of Columbia's new season schedule of 48 features were described to the company's national executive sales meeting at the Drake Hotel here this weekend by Abe Montague, general sales manager.

In addition to the features, Columbia will offer 16 Westerns, four serials and 140 short subjects, as announced by the company earlier.

The specific productions described at the meeting were the following:

A George Stevens production on the scale of his "Penny Serenade," the story to be decided later.

"You Belong to Me," a Wesley Ruggles production, co-starring Barbara Stanwyck and Henry Fonda, from the screenplay by Claude Bin-

(*Continued on page* 6)

Churchill Agitation Fans Exhibitor Dissatisfaction

Hollywood, June 8.—The issue of the exhibitor's priority rights in information about product and a discussion of the invasive nature of publicity policies which race into fan and lay press publication of reviews and discussions of picture content is expected to become a subject of militant representations and consideration by the MPTOA-PCCITO convention opening here tomorrow.

The attitude of the showmen, crystalized and presented in *Motion Picture Herald's* editorial entitled "Press and Product" in the issue of May 17, found expression in heated caucuses and cocktail hour discussions of pre-convention gatherings across the weekend.

In the course of that much quoted expression, the *Herald* said:

"The trade press audience, the ex-

(*Continued on page* 8)

Employment Topic Of AFM Convention

Seattle, June 8.—Increased employment for musicians will be the major topic at the American Federation of Musicians annual convention which gets under way at the Hotel Olympic here tomorrow. The report of Ben Selven, general manager of the recording activities of Associated Music Publishers and Muzak program manager, on the effect of mechanically recorded music on employment is expected to be an important feature of the sessions.

Selven, who is also a member of the union, was designated by James C. Petrillo, president, to make a survey of the field. Among the subjects considered by Selven are the use of records and transcriptions by radio stations, coin-in-the-slot phonographs used

(*Continued on page* 8)

Coast Flashes

Hollywood, June 8

JOSEPH PASTERNAK'S contract as a Universal producer has been terminated by mutual agreement, the studio has announced. He will leave when his current production, "Almost an Angel," is completed, which is expected in about 12 weeks. The severance is reported to have come without advance intimation. Though Pasternak is known to have received offers from other studios in the past, he disclosed that he has no future plans for the time being.

•

The first meeting to organize a Los Angeles-Hollywood Variety club will be held here next Friday, with John H. Harris, National Chief Barker, presiding.

•

RKO has asked the California Superior Court to interpret its contract with Erich Pommer, producer, who received notice of dismissal May 20. Pommer is reported seriously ill, and the studio alleged that the contract made in April, 1940, and renewed this year for another year contains a clause stipulating that Pommer could be dismissed should he be unable to work.

•

Sam Wood has been signed by Paramount to produce and direct "For Whom the Bell Tolls."

•

As the strike of Walt Disney cartoon workers continued into a second week, Disney reiterated his desire for a secret ballot to determine whether the Screen Cartoonists Guild should be determined the bargaining agent for his employes.

•

Edgar Bergen, Charlie McCarthy and Fibber McGee and Molly, now working in "Look Who's Talking" for RKO, have been signed to co-star in one film annually for three years.

To Operate Seven N. J. Resort Houses

WILDWOOD, N. J., June 8.—William C. Hunt again will operate his seven theatres here and at nearby Cape May during the Summer season. The New Shore, New Casino and Strand, playing first runs, opened last week. The Regent, reopening June 28, and the Nixon, on July 2, are the second run houses. The Liberty and City Pier in Cape May also opened last week. In addition, two houses are operated on Hunt's Ocean Pier here, the Ocean for features and the Mickey Mouse for cartoons and shorts.

Hunt is assisted by his son, Bud Hunt, in the operation of the resort houses. William Keegan, general manager of the Hunt houses in the Trenton, N. J., territory, is general manager of the resort circuit.

Increase License Fee

MARSHFIELD, WIS., June 8.—The City Council has increased the annual theatre license fee here from $40 to $50.

15 WEEK ON B'WAY
JEAN GABIN in
original unexpurgated
PEPE LE MOKO
★★★★ LIB. MAG.
Dist. by MAYER-BURSTYN

Personal Mention

JOSEPH I. BREEN, administrative head of the RKO studio, is due today from Hollywood. He was expected Friday, but changed his plans.

•

WILLIAM F. RODGERS, M-G-M sales chief, had a birthday on Saturday.

•

WILLIAM K. SAXTON, city manager for Loew's in Baltimore, leaves this week for a Miami Beach vacation.

•

R. M. SAVINI, president of Astor Pictures, has left for the Coast.

•

MORRIS HELPRIN leaves tomorrow for the Coast.

•

LOU LEVY, manager of the Des Moines Universal office, has returned from Chicago.

•

JOHN FREINSTEIN, of the M-G-M Pittsburgh office began a year's army training Saturday.

•

MR. and MRS. DON SARDINAS, both of the Warner home office staff, have returned from a wedding trip. MRS. SARDINAS is the former Mary Healy.

•

EDWARD RICHTER, M-G-M New Jersey booker, is due back at his desk today after a week's vacation.

•

JEAN POST, Universal booker at Des Moines, has returned to work after recovery from an appendicitis operation.

•

JAMES SCHMIDT of the Warner New York exchange will report Wednesday for a year's military training.

•

SHIRLEY E. TEN EYCK of the Indianapolis Warner staff will be married to LUKE SNYDER of Indianapolis in that city on June 27.

•

CHARLOTTE MCGUIGAN, secretary to HARRY SHAW, Loew-Poli division manager in New Haven, has returned from Boston.

MAJOR ALBERT WARNER returned over the weekend from Jacksonville.

•

MORRIS GOODMAN, Republic vice-president in charge of foreign sales, is due late this month from his current Latin American tour.

•

MRS. GEORGE STAMATUS, wife of the circuit operator, is in Beth Moses Hospital, Brooklyn, recuperating from an appendectomy.

•

LOU WOLFF, Brandt Theatres booker, now in the army, returned yesterday to Fort Ethan Allen, Burlington, Vt., after a brief visit here.

•

OLIVER A. UNGER, sales manager for Hoffberg Productions, left yesterday on a trip through the State.

•

HERBERT LILJEFORS of the accounting department of Altec Service Corp., and ELSIE M. HILL of the bookkeeping department, have announced their engagement.

•

SHIRLEY PHYLLIS DEMBOW, daughter of HARRY DEMBOW, Philadelphia exhibitor, and niece of SAM and GEORGE DEMBOW, was married recently to N. HERMAN BORNSTEIN, operator of the Hatboro Theatre, Philadelphia.

•

BERTHA SNYDER, secretary to D. C. KENNEDY, manager for M-G-M in Des Moines, was married recently to RUSSELL BLACK. HELEN ELLIOT, head of the contract department at the exchange was married to AL HANSEN, owner of the Hilan Hotel.

•

MRS. NITA WILSCHKE, wife of ELMER O. WILSCHKE, Altec inspector in Philadelphia, has been elected president of the ladies' auxiliary of the Variety Club there.

•

MAURICE DRUCKER, manager of Loew's State in Cleveland, has returned from a vacation in Boston.

•

LARRY SHUBNELL of the Columbia Indianapolis exchange, is vacationing in Detroit with MRS. SHUBNELL.

Lee Sells Rights To British Picture

Arthur A. Lee has sold American distribution rights to "Young Man's Fancy," a Mickey Balcon production starring Anna Lee, to William Shapiro of Bobby Breen Productions. Distribution arrangements for the picture have not been set yet.

Lee returned from the Coast last week and will leave for Canada today.

Plan Bragin Dinner

CLEVELAND, June 8.—Sol Bragin, who has been head booker for Warners here and is slated to go to Pittsburgh, will be given a farewell banquet by Warners employes, who are meeting at Hotel Allerton Monday to arrange the party. Bragin will be succeeded by Charles Albert, former manager of the Lake.

Raise New Haven Price

NEW HAVEN, June 8.—The Loew-Poli College has increased admission on its first run pictures from the former 28 cents-39 cents to the uniform price of the A houses downtown, 39 cents-50 cents. The College plays holdovers from the big Loew-Poli house for the most part.

Secret Parley Held On L. A. Censor Bill

LOS ANGELES, June 8.—Meeting behind closed doors, representatives of the Los Angeles Police Commission and studio and church interests on Friday discussed a proposal of a majority of the commissioners for a drastic censor ordinance which would require the licensing of all film and stage theatres here.

Under the proposal, theatre licenses would be revoked immediately upon action by the City Attorney or District Attorney to close shows deemed to be salacious.

Some time ago when Councilman Norris J. Nelson introduced a licensing measure in the City Council he proposed to exempt Production Code seal films from the Commission's regulation, and last week he threatened to fight the new version of the proposed law in the Council.

Club Planning Tourney

BALTIMORE, June 8.—The Variety Club here is planning a golf tournament to be held next month. Rodney Collier, manager of the Stanley, is chairman of the tournament.

Dietrich Feared Her Surrender to Nazis

Marlene Dietrich refused to act in a film to be produced in Italy, because she feared that the Italian Government would surrender her to the German Government, according to an answer filed by her on Friday in the U. S. District Court to the $98,450 damage suit of Forrester Parant Productions, Inc. The plaintiff had claimed that the defendant had breached a contract made in October, 1938, to appear in a French film.

Services Are Held Here for Boris Said

Funeral services were held on Saturday morning at the Universal Funeral Chapel for Boris Said, Broadway legitimate theatre lessee and independent oil operator, who died suddenly of a heart attack on Thursday. He was 58 years old. Maurice Evans read the 23rd Psalm and a prayer was said by Father Carl Lemm-Marugg of St. Luke's Chapel, Stamford, Conn.

Said first came to the attention of Broadway as silent partner of many theatrical productions, and later as operator of the St. James, Nora Bayes and Forty-fourth Street Theatres. Among the shows in which he invested were: "Thumbs Up," the Eddie Dowling revue; the Richard Evans revival of "King Richard II" and "Russian Bank."

He is survived by his widow, Sonia, and a son, Boris, Jr. The family home is in Greenwich, Conn.

Vogel Makes Loew's Managerial Shifts

Joseph R. Vogel, Loew Theatres executive, has announced the following managerial changes: William Elder, transferred from Harrisburg, Pa., to the Palace, Indianapolis, replacing Ward Farrar, resigned; Sam Gilman of Loew's, Dayton, succeeds Elder in Harrisburg; Orville Crouch is shifted from Canton to Dayton.

Korda Changes Title

HOLLYWOOD, June 8.—Alexander Korda has changed the title of the film formerly known as "Illusions" to "Lydia." It will be released by United Artists.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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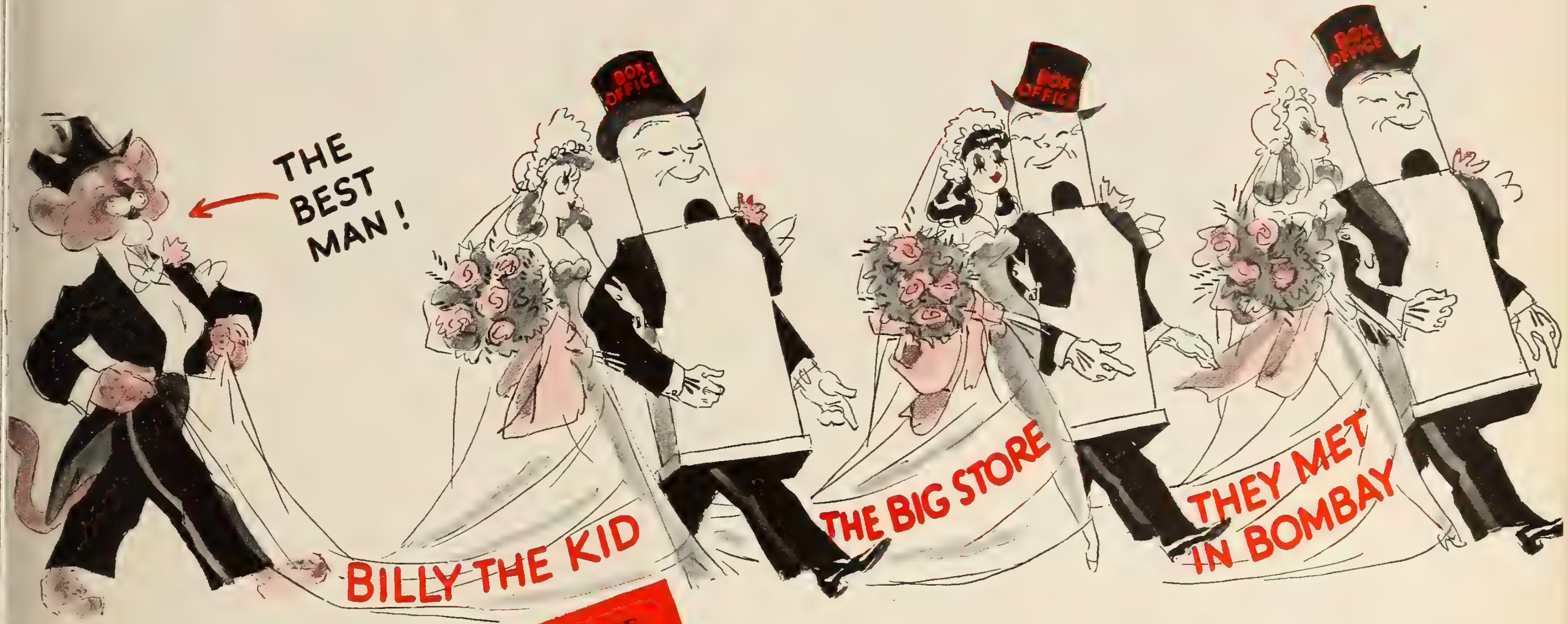
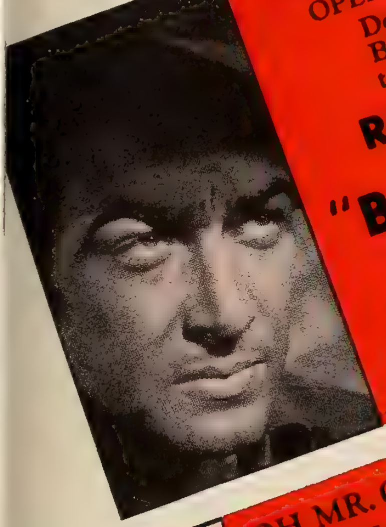
JUNE BRIDES!





TECHNICOLOR MASTERPIECE
OPENINGS SENSATIONAL!
Detroit, San Francisco,
Buffalo, Memphis are
terrific! Watch this one!

ROBERT TAYLOR
in
"BILLY THE KID"
with **BRIAN DONLEVY**

Ian Hunter • Mary Howard • Gene Lockhart
Lon Chaney, Jr. • Screen Play by Gene Fowler
A Metro-Goldwyn-Mayer Picture • Directed
by David Miller • Produced by Irving Asher

Millions of dollars worth of high-powered entertainment. Box-office tunes for June! Leave it to M-G-M, as usual, to come to the rescue.

OH MR. GABLE! *(Your new role is dashing as two-fisted Rhett Butler)*

CLARK GABLE • ROSALIND RUSSELL
in **CLARENCE BROWN'S PRODUCTION**
"THEY MET IN BOMBAY"

with PETER LORRE • Jessie Ralph • Edward
Ciannelli • Matthew Boulton • Screen Play by
Edwin Justus Mayer, Anita Loos & Leon Gordon
Based on a Story by Hans Kafka • An M-G-M
Picture • Directed by CLARENCE BROWN
Produced by HUNT STROMBERG

THE SEASON'S BIG
MUSICAL COMEDY!

MARX BROS.
GROUCHO • CHICO • HARPO
with **TONY MARTIN**
and Songs! Girls! Merriment!
"THE BIG STORE"

with Virginia Grey • Margaret Dumont
Douglass Dumbrille • Screen Play by
Sid Kuller, Hal Fimberg and Ray
Golden • Directed by Charles Riesner
Produced by Louis K. Sidney

1,000 Expected at MPTOA Meeting Today

ORGANIZATION OFFICIALS AT CONVENTION . . . .

Leonard Goldenson

Spyros Skouras

A. Julian Brylawski

Fred Wehrenberg

M. A. Lightman

Max A. Cohen

Will Reelect Officers at First Session

(Continued from page 1)

ganization delegates occupied most of today. The MPTOA delegates will be registered tomorrow. It is estimated that between 400 and 500 of the Pacific Coast organizations' delegates and guests are on hand, and that a slightly larger number will be accounted for by MPTOA.

The board meeting of the national organization with election of officers is its only scheduled business session on Monday. The national organization's first business session will be opened Tuesday afternoon and will continue on Wednesday and Thursday afternoons. The PCCITO business meetings will be held mornings, Monday through Thursday, with H. V. Harvey, president, in the chair.

Varied Program Scheduled

A wide variety of speakers, subjects and entertainment has been scheduled for the delegates and guests.

A partial list of topics to be taken up by speakers and the convention itself follows: Decline in theatre attendance and measures to remedy it; television; new selling methods imposed by the Federal consent decree on five major companies; industry arbitration; national defense activities; taxation and legislation; radio competition, screen advertising and benefits; non-theatrical and other types of theatre competition; trade practices and cut-rate competition, music tax legislation and double features.

Executives to Speak

A partial list of speakers follows: Y. Frank Freeman, Walter Wanger, Federal Judge J. F. T. O'Connor, John H. Harris, Nathan D. Golden, Mary Pickford, Frank Capra, Edward Arnold, S. Charles Einfeld, Sheridan Gibney, Austin C. Keough, J. Noble Braden, Francis S. Harmon, William F. Rodgers, Neil F. Agnew, Gradwell Sears, W. A. Scully and Louella O. Parsons.

Entertainment will include studio visits, luncheons and dinner dances at studio commissaries, a fashion show sponsored by Miss Pickford, a barbecue at the Columbia ranch.

F.D.R. Greets MPTOA

Los Angeles, June 8

THE greetings of President Roosevelt to the MPTOA convention which gets under way at the Ambassador Hotel here tomorrow have been received by Ed Kuykendall, president of the national exhibitor organization, and will be read to the delegates at the opening session.

Following is the text of the President's greetings:

"Please extend cordial greetings in my behalf to all who attend the 21st annual convention of the MPTOA. It is most appropriate that you are calling this coming-of-age gathering 'the all-industry good will convention.' That spirit should make its own special contribution to the all-out effort for national unity which is of paramount importance during these anxious times. My best wishes for a successful gathering."

Industry Escapes Legislation in Wis.

MADISON, Wis., June 8.—The Wisconsin legislature adjourned here Friday leaving exhibitors and the industry generally unscathed by any directly harmful measures. Several bills which would have taxed films failed of enactment.

Will Exempt British Operators for Time

LONDON, June 8.—The Ministry of Labor has promised that no projectionists will be called for military service pending a final decision in the matter. The promise was made following a meeting of a deputation of exhibitors with Ministry officials.

Among the theatre men attending the conventions of the PCCITO and the MPTOA in Los Angeles are, left to right: O. J. Miller, executive secretary of the ITO of Oregon; Robert White, Portland; Robert H. Poole, general convention chairman and executive secretary of PCCITO; W. G. Ripley, Washington; Hugh Bruen, Los Angeles; Ben Levin, San Francisco; Jack Berman, Los Angeles; James M. Hone, executive secretary, ITO of Washington; A. West Johnson, Eugene, Oregon, and H. V. Harvey, general convention chairman for MPTOA.

Greetings from Olsen

LOS ANGELES, June 8.—Greetings to the PCCITO-MPTOA conventions were extended by Gov. Culbert L. Olsen of California today in a message to Robert H. Poole, executive secretary of the Coast organization.

Text of the Governor's message follows:

"On behalf of all our citizens I extend a most hearty welcome to the members of both the PCCITO and the MPTOA. It is fitting and proper that this convention should be held in Hollywood, the home of a great educational and entertainment industry. The motion picture theatre owners are in position to, and I know each one individually will, cooperate to the fullest extent in aiding our Federal Government in its national defense program.

"Each theatre owner is now playing an important part in our defense program by collecting the small tax on admissions for this purpose and can contribute very materially by showing the motion picture shorts in their theatres that have been produced under the auspices of the several Federal departments covering various phases of our preparedness program."

History Repeats

Los Angeles, June 8.—The problems which occupied exhibitor conventions 30 years ago match those which face today's conventions.

Charles Rothchild, first president of the California M. P. Exhibitors League, enumerated the following problems at the first convention of his organization in September, 1912, in San Francisco:

The need for better organization and cooperation among exhibitors.

The need for a greater voice for exhibition in industry affairs.

The need for improvement of business standards of exhibition.

The desirability of eliminating "cut-throat" and cut-rate competition among exhibitors.

The elimination of "misleading, sensational and vulgar" theatre advertising.

BLOOD and SAND

NEW YORK
—Third smash week at the Roxy!

LOS ANGELES
—Biggest business of the year!

DETROIT
—Tremendous pace of 20th's greatest!

KANSAS CITY
—Doubles "Down Argentine Way"!

ST. LOUIS
—25% bigger than "Tin Pan Alley"!

SAN FRANCISCO
—Shatters holiday week-end records!

BALTIMORE
—Bigger than "Western Union"!

CHICAGO
—Looks like four weeks here!

NEW HAVEN
—Crowding "Jesse James" marks!

20th CENTURY FOX

Col. Outlines 40 of 48 New Season Films

(*Continued from page* 1)

yon, based on a story by Dalton Trumbo.

A second Barbara Stanwyck production.

"My Sister Eileen," the Broadway comedy hit, to be produced by Max Gordon.

Two Cary Grant productions.

Two Jean Arthur productions.

"Pal Joey," the Broadway musical comedy success, to be produced by George Abbott.

Two Melvyn Douglas productions.

"Woman of Desire," a Gregory Ratoff production, starring Loretta Young, with Conrad Veidt, Eugenie Leontovitch and Otto Kruger.

Loretta Young Picture

A second Loretta Young production.

Two productions to be directed by Alexander Hall.

"Wild Is the River," based on the new Louis Bromfield novel.

"Gloria Is Willing," a Mitchell Leisen production, starring Marlene Dietrich.

"The Things They Do in Rio," co-starring Rita Hayworth, Brian Aherne, William Holden and Glenn Ford.

"Eadie Was a Lady," starring Rita Hayworth.

"Ladies in Retirement," the Broadway melodrama, produced by Lester Cowan and Gilbert Miller, directed by Charles Vidor, with Ida Lupino, Louis Hayward and Elsa Lanchester.

A second production to be directed by Charles Vidor.

"Every Man for Himself," from the stage comedy by Milton Lazarus.

"Martin Eden," from the Jack London novel, with B. P. Schulberg as producer and Samuel Bronston as associate producer.

Two Joe E. Brown productions.

"Harvard, Here I Come," with "Slapsie" Maxie Rosenbloom.

"Honolulu Lu," with Lupe Velez.

"Two Girls from Argentine," comedy with music.

New 'Toiler' Series

Two "Tillie the Toiler" productions, a new series based on the cartoon strip, with Kay Harris, William Tracy, Ernest Truex, Daphne Pollard and Franklin Panghorn. Sidney Salkow will direct and Robert Sparks produce.

Three "Blondie" productions, with Penny Singleton, Arthur Lake and Larry Simms, produced by Robert Sparks, and based on the cartoon strip.

"Harmon of Michigan," starring Tom Harmon, with Anita Louise, in a football story.

Two "Boston Blackie" productions, featuring Chester Morris in Jack Boyle's mystery stories.

Two "Lone Wolf" productions, starring Warren Williams in Louis Joseph Vance's adventure stories.

"The Boogie Man Will Get You," co-starring Boris Karloff and Peter Lorre in a comedy-horror story by Robert Andrews.

A series of "Ellery Queen" productions, with Ralph Bellamy, Margaret Lindsay, Charles Grapewin and James Burke, with Larry Darmour as producer.

The balance of the company's feature productions will be based on story properties either on hand or to be acquired as the season progresses.

The Columbia Westerns will be in two series of eight each, with Charles Starrett and Russell Hayden co-starred in one series and Bill Elliott and Tex Ritter in the other. In addition, there will be four serials, "Holt of the Secret Service," with Jack Holt; "Captain Midnight," "Pirate Gold" and "Perils of the Royal Mounted."

Harry Cohn Brings Roughs Of Six Outstanding Films

CHICAGO, June 8.—Rough cuts of six of Columbia's top flight productions, four of which will be released this season and two next, were brought here from the studio by Harry Cohn, Columbia president, and screened for the company's sales executives at the close of their two-day convention at the Drake Hotel here tonight.

John Stahl's 'Our Wife'

The pictures were: the John Stahl production, "Our Wife," starring Melvyn Douglas, Ruth Hussey and Ellen Drew; "Heaven Can Wait," starring Robert Montgomery; "You'll Never Get Rich," the Fred Astaire-Rita Hayworth musical, and "Texas," co-starring William Holden, Glenn Ford and Claire Trevor, and the two new season productions, "Woman of Desire," starring Loretta Young, and "Ladies in Retirement," the Lester Cowan-Gilbert Miller production starring Louis Hayward and Ida Lupino.

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103 Films Scheduled for Release During Summer

(*Continued from page* 1)

distributors and home offices so that showmen the country over and in Canada can set their plans for the torrid months and the "twilight zone" which is now—namely the period between June 10 and the new season with its block-of-five sales.

The pictures listed below are those which the companies have themselves named with the tentative release dates, many of which already have been charted in MOTION PICTURE DAILY'S weekly booking chart.

Here is the list, company by company:

M-G-M (10)

"The Big Store," June 20; "Blossoms in the Dust," June 27; "Man from the City," June 10; "The Get Away," June 13; "They Met in Bombay" (formerly "Unholy Partners"), June 27; Untitled Hardy film, July 11; "Dr. Jekyll and Mr. Hyde," "Barnacle Bill," July 4; "Lady Be Good."

COLUMBIA (15)

"Hands Across the Rockies," June 19; "The Richest Man in Town," June 19; "Medico of Painted Springs," June 26; "Sweetheart of the Campus," June 26; "Time Out for Rhythm," June 12; "I Was a Prisoner on Devil's Island," June 30; "The Medico Rides," July 15; "The Officer and the Lady," July 25; "Son of Davy Crockett," July 30; "Blondie in Society," July 18; "Ellery Queen and the Perfect Crime," "Two Latins from Manhattan," "Mystery Ship," "Tillie the Toiler," "Two in a Taxi."

PARAMOUNT (11)

"I Wanted Wings," May 30; "One Night in Lisbon," June 13; "West Point Widow," June 20; "Parson of Panamint," June 27; "Caught in the Draft," July 4; "Forced Landing," July 11; "Shepherd of the Hills," July 18; "Kiss the Boys Goodbye," Aug. 1; "Wide Open Town," Aug. 8; "Aloma of the South Seas," Aug. 15; "Flying Blind," Aug. 22.

UNITED ARTISTS (6)

Roach: "Broadway Limited," June 13; "Niagara Falls," Aug. 13. Korda: "Lydia," Sept. 1. Gloria Productions: "New Wine," Aug. 8. Small: "International Lady," August release. Pascal: "Major Barbara," probable general release in August.

20TH CENTURY-FOX (7)

"For Beauty's Sake," June 6; "The Bride Wore Crutches," June 13; "Man Hunt," June 20; "A Very Young Lady," June 27; "Moon over Miami," July 4; "Accent on Love," July 11; "Dance Hall," July 18. August releases not yet set.

RKO (3 for June)

"Bring 'Em Back Alive," June 13; "They Meet Again," June 20; "The Reluctant Dragon" (Disney), June 27.

REPUBLIC (13)

"Puddin' Head," June 27; "Gangs of Sonora," July 4; and "Hurricane Smith," "Under Fiesta Stars," "Nevada City," "Icecapades," "Rags to Riches," "Ten Nights in a Barroom," "Bad Man of Deadwood," "Down Mexico Way," "Death Valley Outlaws," "King of the Texas Rangers" and "Gobs in Blue," between June and Labor Day.

UNIVERSAL (13)

"Men of the Timberland," June 6; "Tight Shoes," June 13; "San Antonio Rose," "Law of the Range," June 20; "Hit the Road," June 27; "Bachelor Daddy," July 4; "Hello Sucker," July 11; "Raiders of the Desert," "Rawhide Rangers," July 18; "Cracked Nuts," Aug. 1; "Oh, Charlie," Aug. 8; "This Girl is Mine," Aug. 15; "A Dangerous Game," Aug. 22.

WARNERS (13)

"Shining Victory," "Devil Dogs of the Air" (reissue), June 7; "Out of the Fog," June 14; "Passage from Hong Kong," June 21; "Underground," June 28. "Bad Men of Missouri," "Kisses for Breakfast," "Bride Came C. O. D.," "Bullets for O'Hara," for July. "Three Sons o' Guns," "Manpower," "Highway West," and "Sergeant York," for August.

MONOGRAM (12)

"Wrangler's Roost," June 4; "The Gang's All Here," June 11; "Murder by Appointment," June 27; "Wanderers of the West," June 30; "City Limits," July 12; "Arizona Bound," July 19; "Fugitive Valley," July 30; "The Ghost Runs Wild," July 26; "Bowery Blitzkrieg," Aug. 1; "The Phantom Rider," Aug. 8; "Night of Horror," Aug. 15; "Untitled Buck Jones," Aug. 29.

Palace in Columbus In Double Bill Test

Columbus, O., June 8.—The RKO Palace, which has been playing double features, will conduct a one-week test on this type of entertainment. Starting Friday the house will play "In the Navy" dualed with "For Beauty's Sake" in the afternoon, and continue with "In the Navy" as a sing[illegible] bill in the evening.

Clearance Adjusted; Withdraw Complaint

The clearance complaint of the Majestic Theatre, Paterson, N. J., against the five consenting companies, and naming Brandt's State in Paterson, was withdrawn formally at the local arbitration board on Friday.

An adjustment of the clearance in the situation involved, satisfactory to all concerned, has been made, it was stated. MOTION PICTURE DAILY reported Friday that a settlement had been agreed upon.

Hearing of the clearance complaint of the Squire Theatre, Great Neck, L. I., was continued to June 17 following resumption of hearings at the local board Friday. The case involves the consenting companies and was filed Feb. 21, the second case of record here. No early termination of the hearings is foreseen.

Complaint Is Filed Before Washington Board

WASHINGTON, June 8.—The K-B Amusement Co., operated by Fred S. Kogod and Max Burka, has field a clearance complaint against Loew's, Inc., charging discrimination against the Apex Theatre. The petition asks relief from the seven-day clearance enjoyed over the Apex by the Calvert, a Warner-owned neighborhood house. The Uptown and Avalon theatres, also Warners' are likewise involved in the case. It is the sixth suit filed with the Washington arbitration tribunal and the first involving Washington theatres.

Equity Shows 'Profit' Of $23,058 for Year

A net gain of $23,058 was realized from operations during the last fiscal year ended June 1 by Actors Equity, it was reported at the 28th annual meeting held Friday at the Hotel Astor. The surplus on hand has increased to $379,883, it was stated. About 650 members attended. Bert Lytell, president, was chairman.

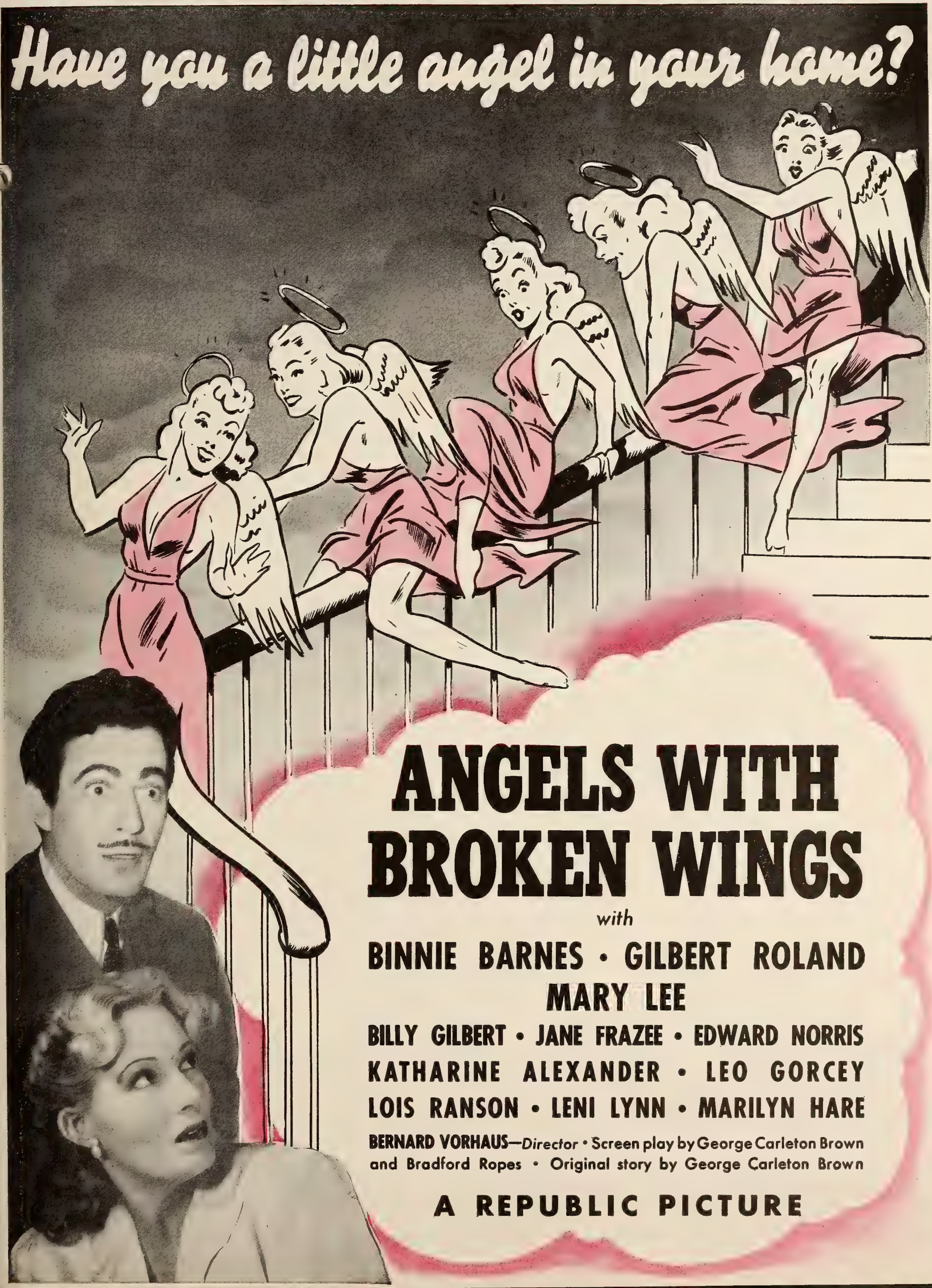
Ohio Censor Made 24 Cuts in March

COLUMBUS, June 8.—The Ohio censors reviewed a total of 451 reels in May from which 24 eliminations were ordered, compared with 481 reels reviewed and 13 eliminations ordered in April. In May, 1940, there were 615 reels and 29 eliminations.

Ruppel Increases Staff

Louis Ruppel, CBS director of publicity, has added David C. Teague to the magazine section. Teague formerly was a feature writer for the *Chicago Times*. Robin Kinkead and John Richmond were recently added to the feature staff.

REPUBLIC WELCOMES MPTOA


Have you a little angel in your home?

ANGELS WITH BROKEN WINGS

with

BINNIE BARNES • GILBERT ROLAND

MARY LEE

BILLY GILBERT • JANE FRAZEE • EDWARD NORRIS
KATHARINE ALEXANDER • LEO GORCEY
LOIS RANSON • LENI LYNN • MARILYN HARE

BERNARD VORHAUS—*Director* • Screen play by George Carleton Brown and Bradford Ropes • Original story by George Carleton Brown

A REPUBLIC PICTURE

Smaller Units To Conform to Ruling of FCC

WASHINGTON, June 8.—Early returns of reports on the intentions of broadcasters with respect to network contracts indicate that the majority of the smaller stations, at least, will adopt the line of least resistance and comply with any requirements which may eventually be imposed by the FCC.

Only a few such reports have thus far been received and commission officials said not all would be in probably before nine months or a year. They are to be filed with applications for construction permits, renewal of license or change of facilities.

Under the network regulations issued May 3 a special report is required showing whether an applicant has a network contract or intends to enter upon one, and if so what type of agreement.

Most of the applicants so far reporting chain contracts say they will conform with any requirement of the commission.

Buys Baltimore Little

BALTIMORE, June 8. — William Hicks, owner of the Mayfair here, has bought the Little Theatre, showing foreign films, from Herman Blum. Maxwell Weinberg will continue as manager of the Little.

Churchill Agitation Fans Exhibitor Dissatisfaction

(*Continued from page* 1)

hibitor, needs to know all that he can get about the product as early as it can be had. It pertains to his plans, decisions, budgets, policies, and his retail selling.

"The lay press audience begins to have its larger proper interest when the product becomes available for inspection on the retailer's screen.

"The two functions are as far apart as buying time and playdate.

"Priority of access to the product belongs to the trade press because of the necessity for, the demand for, prior attention. That is a function of service to Production, to Distribution, to Exhibition.

"Conspicuously, the Producer and the Distributor are risking offense to and embarrassment of the Exhibitor when, by untimely release of the product to the public press, the patrons of the box-office hear about it, receive pre-judgment of it, before he does. The exhibitor is not flattered, not pleased, when his customers bring him tidings of pictures first, make comments that he is not equipped to answer.

"The exhibitor wants to know. He wants to know first. And he wants to find it in the trade papers where he looks for the news of his business and its wares.

"The manufacturer and the jobber who do not tell the retailer before they tell the public are building neither values nor goodwill."

Controversy between Production and the lay press critics, in progress for a month, has recently been brought to a pause by an agreement which in substance promises the lay press or "Churchill group" screenings of all product two weeks in advance of release.

Meanwhile nothing has been done, or said, officially or unofficially, by Production, in the direction of arrangement to serve and protect the interests of box-office showmanship by the attentions and priorities which the trade press requires for the service of the customers of Production and Distribution—the exhibitors.

BEST WISHES TO

MPTOA

ROSS FEDERAL SERVICE, Inc.

More than a decade of
service to the world
of entertainment . . .

18 EAST 48th STREET, NEW YORK

Name Local Branch Groups for Defense

(*Continued from page* 1)

trailers have been shipped to exchanges.

The chairmen appointed follow:

Albany, Joe Miller, Columbia; Atlanta, E. B. Price, Paramount; Boston, I. H. Rogovin, Columbia; Buffalo, Syd Lehman, United Artists; Charlotte, J. J. Dillon, Republic; Chicago, J. J. Donahue, Paramount; Cincinnati, P. F. Rosian, Universal; Cleveland, A. M. Goodman, United Artists; Dallas, Sol. M. Sachs, RKO; Denver, R. J. Morrison, 20th Century-Fox; Des Moines, M. Evidon, Columbia; Detroit, F. J. Downey, M-G-M; Indianapolis, L. J. McGinley, Universal.

Also, Kansas City, Geo. W. Fuller, 20th Century-Fox; Los Angeles, Jack Dillon, 20th Century-Fox; Memphis, J. F. Willingham, M-G-M; Milwaukee, J. H. Lorentz, 20th Century-Fox; Minneapolis, L. J. Miller, Universal; New Haven, R. Mahan, Warners; New Orleans, E. V. Laudaiche, 20th Century-Fox; New York, Bob Wolff, RKO; Oklahoma City, R. B. Williams, RKO; Omaha, J. H. Jacobs, Columbia; Philadelphia, W. G. Mansell, Warners; Pittsburgh, H. Seed, Warners; Portland, Ore., A. R. Anderson, Paramount; St. Louis, Hall Walsh, Warners; Salt Lake City, S. J. Gardner, M-G-M.

Filbert in New Quarters

LOS ANGELES, June 8.—John P. Filbert, for many years a local theatre supply dealer, has opened a larger, modernized store here. Among companies which he represents on the West Coast are: RCA, sound equipment; Century Projector, projectors; Alexander Smith, carpets; Adler Silhouette Letter Co., letters, and the C. S. Ashcraft Manufacturing Co., projection lamps.

Congratulations

M. P. T. O. A.

Modern Film Corp.

Charlotte Repeals Sunday Show Ban

Charlotte, N. C., June 8.—The local City Council has legalized Sunday films and sports. The council vote was eight to three. Effective at once, the law permits Sunday operation all day, and ends a long fight to have the blue laws repealed.

N. J. Allied Meet Will Discuss Attendance

(*Continued from page* 1)

meeting of the Eastern regional directors of national Allied. Abram F. Myers, general counsel of national Allied; Col. H. A. Cole, president, and Sidney Samuelson are scheduled to speak.

The first day of the convention, known as New Jersey Day, will feature a directors' meeting, followed by reports of the Allied unit's committees at a general business session, and the selection of a nominating committee for the annual elections.

National Allied Day

Thursday, the second day, will be known as National Allied Day. The opening event will be a golf tournament at the Northfield Country Club. The afternoon business session will be addressed by Myers, Cole and Samuelson. The evening will be devoted to a party at the Nomad Club.

Sales Managers Day will close the convention on Friday. An Eastern regional conference will occupy the morning session, followed by a luncheon for Eastern regional directors. The afternoon general session will feature talks by the sales managers of several distributing companies. These will be followed by committee reports and the election of officers and directors of New Jersey Allied. A cocktail party will be followed by a testimonial banquet to Lee Newbury, president.

Employment Topic Of AFM Convention

(*Continued from page* 1)

in restaurants, night clubs and hotels, and the use of sound films in theatres to replace orchestras.

Jack Rosenberg, president of Local 802 of New York City, is expected to present a resolution limiting the number of performances of name bands in theatres to 28 per week, and another to limit the acceptance of so-called "miscellaneous" employment by traveling bands within the jurisdiction of locals.

The Federation is also expected to set wage scales for the three new radio services, FM, short wave and television.

Wobber and Skouras Plan Trip to West

(*Continued from page* 1)

divisions of the circuit were set recently by W. J. Kupper, 20th Century-Fox Western division manager.

From Denver, Wobber plans to go to Salt Lake City and possibly Seattle, arriving at the studio June 23 for product conferences with Darryl F. Zanuck. He plans to return to New York July 12 in time for the company's sales convention which will open here July 14.

Latin America Rife with 'Columns' But Favors Democracy: Fairbanks

"In every country I have seen there is a Fifth Column," Douglas Fairbanks, Jr., who is on a Latin American tour as a special envoy of the State Department, reported Friday from Santiago, Chile. The talk was sent here by short wave and rebroadcast by NBC.

Fairbanks added that the fifth columnists were "small minorities" and despite their presence "the vast majority of the peoples are robustly democratic and in sympathy with the determination of the democracies that liberty, independence and the dignity of the individual are not to be trampled under the iron heel of the **reign despot."**

$988,191 RKO Loss For 1940; Profit Shown in Quarter

(*Continued from page* 1)

401,387, current liabilities of $5,892,377, and working capital of $11,509,010.

In his letter to stockholders, Schaefer points out that funded debt of RKO has been reduced $25,800,000 since 1933, and that during 1940 another $1,840,000 of funded debt of subsidiaries was eliminated. Also, during the year, refunding arrangements were completed for $2,150,000 of RKO Midwest Corp. bonds and for $350,000 of Junior Orpheum Los Angeles, Ltd., bonds.

$1,000,000 for Contingencies

Schaefer's letter states that the business of RKO Radio Pictures, Inc., the picture company subsidiary, "has been seriously affected by the wars abroad' and the restrictions on remittance of currency from Great Britain and elsewhere. For this reason, the reserve for contingencies on the picture company's books has been increased from $215,000 to $1,000,000 as of Dec. 31, last, and the increase charged to its profit and loss account.

Schaefer's letter states further that the picture company has completely written off its investments in subsidiaries operating in Spain, Austria, Czechoslovakia, Poland and France, and that the picture company's profit and loss account also has been affected through a further acceleration in its film amortization rates as a result of the war.

He points out that reorganization allowances of $650,000 in cash have been paid out of a $5,000,000 general reserve created for this and other proper purposes.

$54,211,909 Income

The profit and loss statement shows income for 1940 of $54,211,909, and expenses of $51,342,931, of which $26,021,279 was operating and general expense, $17,496,563 amortization of film costs and expenses, and $7,825,089 for royalties and participations.

Depreciation and amortization was $1,425,082. Miscellaneous income was $814,522, leaving net of $2,258,417 before other charges, provision for taxes and dividends. Principal items in the latter charges include interest and discount of $1,144,570; the $794,600 provision for contingencies; $371,507 for income taxes, $292,755 for dividends on Keith-Albee-Orpheum preferred stock, and $177,959 for expenses in defense of the Federal anti-trust suit.

The consolidated balance sheet shows $1;342,780 in advances to outside producers; $7,955,940 in inventories, and $748,517 in notes and accounts receivable. Capital assets are listed at $44,172,294; investments in affiliated and other companies, $4,785,751, and total assets, $67,957,507.

Schaefer's letter formally advises the stockholders that no annual meeting will be called until late in the year, there being no important business at hand for stockholder action, and terms of directors, who were appointed for two years under the company's reorganization plan, will not expire until Dec. 31.

Small Number of Shares Tendered

Only a relatively small number of shares of Keith-Albee-Orpheum preferred stock in the hands of the public was tendered for redemption by RKO at $115.25 per share at the close of the tender period on Saturday, it was reported yesterday.

This was expected, however, and will have no effect on consummation of the refunding and consolidation plan for K-A-O and subsidiaries, which is to be voted on Thrusday by K-A-O stockholders.

Two-thirds of the issued 64,304 shares of K-A-O preferred is needed for ratification of the plan, or approximately 43,000 shares, whereas RKO will have available approximately 52,000 shares. Of the latter number, RKO itself holds 21,761 shares, and Atlas Corp. has approximately 30,000 shares owned or under option, which can be voted for the plan.

The tender offer was made to public holders of the stock only to permit them to avail themselves if they wished of the same offer which RKO is making to Atlas Corp. to redeem the stock at $115.25 per share, which is the same price that Atlas will pay M. J. Meehan for his remaining 22,000 shares under its option. The K-A-O preferred is callable at $110 per share plus accrued dividends of $15.75, or a total of $125.75 per share.

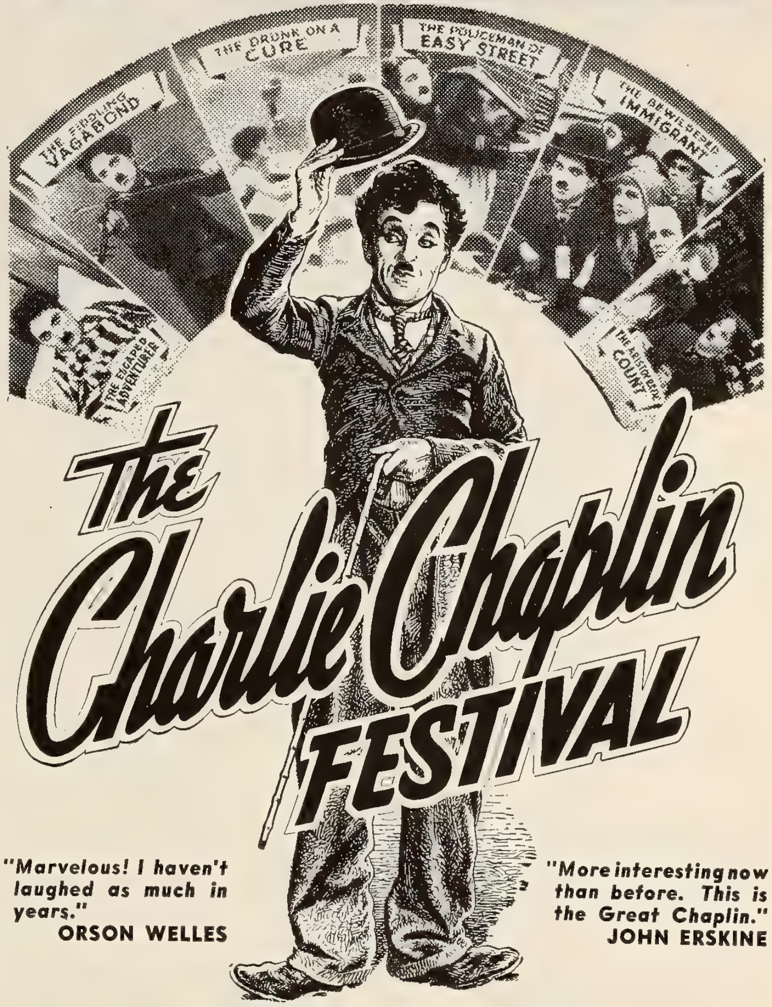
Report KAO Stock Purchase by Atlas

WASHINGTON, June 8.—Acquisition by Atlas Corporation of 2,000 shares of Keith-Albee-Orpheum preferred tock, 1,000 shares direct and another ,000 through the American Co., was eported over the weekend by the Securities and Exchange Commission in ts first April summary. The acquisitions gave Atlas 4,500 shares held direct and 4,500 held through its subsidiary.

Also in Keith-Albee-Orpheum, the SEC reported the disposition of 1,800 shares of preferred by Michael J. Meehan, whose holding at the close of the month were 15,204 shares.

Only two other tranactions were reported, the acquisition of 122 shares of Loew's Boston Theatres common by Loew's, Inc., giving the latter a total of 118,080 shares, and the purchase of 200 common voting trust certificates of Universal Corp. by Preston Davie, giving him a total of 4,200.

SWEEPING THE COUNTRY
THE RECORD-BREAKING LAFF-FEATURE HIT!



"Marvelous! I haven't laughed as much in years."
ORSON WELLES

"More interesting now than before. This is the Great Chaplin."
JOHN ERSKINE

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9 WEEKS . . . NEW YORK
3 WEEKS . . . BOSTON
2 WEEKS . . . NEWARK
2 WEEKS . . . DETROIT

Already booked by
PARAMOUNT-PUBLIX, NEW ENGLAND
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First Runs Dated in
CHICAGO, WASHINGTON,
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READ HOW THE CRITICS RAVE!

"The old Charlie at his comical best."
Bosley Crowther . . . New York Times

"Triumphantly Entertaining—Wonderfully funny—Greatest clown of our day at the top of his form."
Howard Barnes . . . New York Herald-Tribune

"Head and shoulders above any other Chaplin film ever made."
Newark Star-Leader

"Arturo Toscanini has been to see the Chaplin Festival six times."
Dorothy Kilgallen . . . N. Y. Journal-American

"One of the funniest comic creations of all times."
The Boston Herald

"Tops! Don't miss it!"—P.M.

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GREETINGS . . . PCCITO and MPTOA

Century

"The Projector of the Century"

on display at the new, modern store

JOHN P. FILBERT COMPANY

2007 SOUTH VERMONT STREET LOS ANGELES

Welcome . . . M.P.T.O.A.
HOLLYWOOD CONVENTION

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Members and Guests are invited to visit our Display of Ashcraft Projection Lamps in our new Modern Theatre Supply Store just opened.

JOHN P. FILBERT CO.

2007 SOUTH VERMONT ST., LOS ANGELES, CAL.

West Coast Distributors for ASHCRAFT, "the Finest Projection Equipment made."

C. S. ASHCRAFT MFG. CO.

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Greetings

M. P. T. O. A.
P. C. C. I. T. O.
Paramount Partners

See the "LAWRICH" Rubber Star Nosing on Exhibit in Hollywood

LAWRICH SALES
122 East 42nd Street
New York, N. Y.

Specialists in Commercial Rubber Products

Greetings

to

M. P. T. O. A.

R. M. (Bob) SAVINI

CHANGE TO ALTEC SERVICE ..A CHANGE FOR THE BETTER

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SERVICE CORPORATION
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CONGRATULATIONS M. P. T. O. A.

The headlines of the Newspapers of the World now brought to your screen.

"THE BATTLE OF LONDON"

13 of the TIMELIEST
TRAVELCADES
In natural colors
Just completed
MEDITERRANEAN
FAR EAST
INVADED COUNTRIES

Narrated by MILTON CROSS
FOR BOOKINGS AND STATE RIGHTS APPLY
ATLAS FILM EXCHANGE
723 SEVENTH AVENUE NEW YORK CITY

IT TAKES ONLY A SECOND TO SEE THE *difference*

● The new "One Kilowatt" High Intensity arcs really pour daylight on the screen. Projection is vastly improved because of the much higher intrinsic brilliancy of these arcs — *100 to 120% higher than Low Intensity.* A comparison will convince you.

Every small theatre needs and can afford this modern high intensity projection light. Ask your dealer for a demonstration.

The words "National," "Suprex" and "Orotip" are trade-marks of National Carbon Company, Inc.

1881 LEADERS THEN

1941 LEADERS NOW

1941 marks our sixtieth anniversary of continuous service in the arc lighting field. We have grown with the industry and will continue to apply the knowledge gained over the years to the best interests of the users of our products.

•

THE NEW "ONE KILOWATT" ARCS USE "NATIONAL," "SUPREX" AND "OROTIP" CARBONS

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Unit of Union Carbide and Carbon Corporation
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Carbon Sales Division: Cleveland, Ohio
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Let Yourself Go!

TREES ARE LEAFING...FLOWERS blossoming in rainbow colors. Grass growing thick and lush. The waters at the seashore . . . in the mountains take new glory from the high, bright sun.

THAT'S NATURE'S WAY OF DISPLAYING her attractions. For Nature is the originator of display advertising . . . the most successful advertiser of them all.

BE SMART...FOLLOW NATURE'S lead . . . the master window dresser. Let yourself go . . . flaunt your banners . . . throw out your streamers . . . give them a show . . . appeal to the eye . . . appeal to the senses . . . let them see that you've got what it takes to make life more joyful . . . more zestful . . . more interesting . . . more entertaining.

LET YOURSELF GO! SHOW THEM the way with Lobby Displays . . . Posters . . . General Accessories and Trailers . . . merchandise your pictures with the Prize Merchandiser of the Industry . . . the Prize Baby of the Industry . . .

NATIONAL SCREEN SERVICE
Advertising Accessories, Inc.

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Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 49. NO. 112 NEW YORK, U. S. A., TUESDAY, JUNE 10, 1941 TEN CENTS

Lucas-Jenkins Trailers Aim at PatronageGain

State-Wide Campaign Explained by Circuit

By SAM SHAIN

The recent reference in MOTION PICTURE DAILY to the fact that the Lucas & Jenkins Theatres, in Atlanta, were running a trailer urging people to see more films, because motion pictures not only are their most economical but also their best form of entertainment, has brought a communication from Earle Holden, of the circuit, in which he reveals that this drive for business

(Continued on page 4)

Scully Names Rosian 'U' District Manager

Peter F. Rosian, Cincinnati manager for Universal, has been appointed manager of a newly created district consisting of the Cincinnati, Indianapolis, Oklahoma City and Dallas territories by W. A. Scully, vice-president and general sales manager.

Rosian has been associated with Universal for the past three years and formerly was with M-G-M and Grand National. He will assume his new post immediately. His successor at the Cincinnati office is expected to be appointed in the near future.

Universal earns $1,759,334 in first half of fiscal year. See Page 6.

Booth Equipment On Priorities List

Washington, June 9.—Motion picture projection and sound equipment has been added to the priorities critical list, it was disclosed today by the Office of Production Management in announcing that approximately 40 new items and classes of items have been put under control, bringing the total to over 300. The critical list is a compilation of materials on orders for which Army and Navy contracting officers may assign preference rating certificates, thus assuring prompt delivery for military purposes.

RKO's Profit for First 1941 Quarter Seen Over $600,000

RKO's consolidated net profit for the first quarter of 1941, ended April 3, is estimated in financial circles in excess of $600,000.

The company's report for the quarter is expected to be released today.

The profit for the period is described as the largest for any quarterly period since RKO's discharge from reorganization, Jan. 1, 1940. Earnings for the current quarter, likewise, are on a profitable basis and a substantial net for the first half of the current year is forecast in financial quarters.

Hays Confers with Breen and Harmon

CHICAGO, June 9.—Will H. Hays, president of the MPPDA, conferred here Saturday with Joseph I. Breen, former Production Code Administrator and new RKO studio executive, and with Francis S. Harmon, executive assistant to Hays.

Breen passed through here en route to New York, and Harmon, after three days of conferences here, will leave tonight for Los Angeles, where he will address the conventions of the MPTOA and the PCCITO on Wednesday on "Motion Pictures in Na-

(Continued on page 4)

DECREE CALLED SMALL BENEFIT

Boost Films, Golden Urges

LOS ANGELES, June 9. — Vigorous and systematic measures by the motion picture industry to win a substantial portion of the 30,000,000 non-theatregoing prospects in this country as its customers will be urged by Nathan D. Golden, motion picture consultant in the Bureau of Foreign and Domestic Commerce, in his address to the MPTOA national convention tomorrow.

Nathan Golden

To attain this end, Golden will advocate intensified efforts to produce films of the highest quality, aid and encouragement to the many schools that now possess or aim to acquire motion picture equipment, and wholehearted cooperation with all plans for

(Continued on page 6)

PCCITO Meeting Hears Discussion by Law; Plan Ascap Suit

LOS ANGELES, June 9.—Indicating doubt that the independent exhibitors would benefit under the New York case consent decree, Albert J. Law, former assistant U. S. attorney general, speaking at the first session of the Pacific Coast Conference of Independent Theatre Owners' convention here today, urged exhibitors to report to their associations every possible violation of the decree and suspected anti-trust violations in order to test the efficiency of the decree. Law spoke as general counsel of the organization.

Max A. Cohen urges industry public relations committee on MPTOA. See Page 4.

Directors of MPTOA tonight reelected Ed Kuykendall president, and all other officers. U. S. Postmaster General Frank C. Walker was renamed vice-president.

Meanwhile, MPTOA conven-

(Continued on page 4)

Argentina Drops Film Import Quota

All import quotas on motion pictures which have been in force in Argentina for nearly a year past have been eliminated by Government decree during the past few days, home office foreign departments were advised yesterday by their Buenos Aires offices.

Under the lifting of the import restrictions, distributors are relieved of the necessity of obtaining import permits for films brought into Argentina, and unrestricted imports are permitted again.

Seven Reviews Today

"Tight Shoes," "West Point Widow," Page 3. "Knockout." "Saddlemates," Page 4. "Out of the Fog," "The Richest Man in Town," "The Nurse's Secret," Page 7.

Columbia Sales Staffs Given Greater Autonomy in Field

CHICAGO, June 9.—Greater autonomy for Columbia's sales staffs in the field, with the objective to make each branch an individual unit was discussed by Abe Montague, general sales manager, at the company's executive sales meeting in progress here.

The meeting has been extended for two days, and because of this no follow-up convention for the company's salesmen and bookers will be held. Such a meeting had been planned.

Giving the branches more autonomy is in line with similar action of other companies in preparation for the new industry conditions next Fall. Montague said the decentralization program is the greatest forward step ever made by Columbia in sales operation.

"We have eliminated all stalling for action asked by exhibitors," he said, "and there is no need for a consent decree as far as we are concerned. The operation of our system has cre-

(Continued on page 6)

Ben Cohen of Loew's On Torpedoed Liner

Ben Cohen, en route to Durban, South Africa, to take charge of the Loew theatre, and his wife, Bert, were passengers on the *Robin Moor,* which, according to Navy reports last night, was torpedoed in the South Atlantic by a German submarine.

All passengers were reported missing. The ship, a U. S. merchant liner, left here May 21.

Cohen, a New Yorker, formerly managed Loew's Poli-College in New Haven. He was manager for Loew's in Calcutta, India, about two years.

Para. Club Chorus To Make Air Debut

The Choral Group of the Paramount Pep Club, a 45-voice chorus consisting exclusively of employes of Paramount Pictures, will make its debut on the air Thursday, 10-10:15 P.M. when it will be heard over WNEW. The Group gave a concert at the Hotel Biltmore several weeks ago.

Broadway Business Continues Good

Business stood up fairly well over the past weekend, in view of the fact that most of the theatres were playing holdovers and the weekend weather was such as to draw a great many potential patrons out of the city to the beaches and outdoor sports.

In its third week, "Penny Serenade" with a stage presentation at the Music Hall, drew an estimated $49,000 Thursday through Sunday. It will be succeeded on Thursday by "Sunny."

"Blood and Sand," with a stage show at the Roxy, for the four days Thursday through Sunday, scored an estimated $17,000. It will complete its third week Thursday, running an extra day, as the house resumes Friday openings. "Man Hunt" will be the new attraction.

The Paramount is expected to do $35,000 for the third week of "I Wanted Wings" and Vaughn Monroe on the stage, ending tonight. Its three-week run will be followed Wednesday by "One Night in Lisbon," with Vincent Lopez and his band on the stage.

"Major Barbara" did an estimated $4,400 Saturday and Sunday, and is expected to finish its fourth week at the Astor with $8,900. It will continue.

Phila. Associates Elect Ely Epstein

PHILADELPHIA, June 9.—Ely J. Epstein, RKO salesman, has been elected president of the Motion Picture Associates, succeeding William Karrer.

Other officers elected are: William U. Bethell, vice-president; J. J. McFadden, secretary; William Humphrey, treasurer. The new board of directors includes: Karrer, Samuel Rosen, William Doyle, Sam Lefko, Mort Magill and Sam Palen.

M. A. Silver's Father Dies

CHELSEA, Mass., June 9.—Max Silver, father of M. A. Silver, Warner Theatres' zone manager in Albany, N. Y., died at his home here today after a brief illness. Funeral services will be conducted tomorrow from the home. Besides the Warner official, survivors include the widow and three married daughters.

Joel Rites Here Today

Funeral services will be held today from his Brooklyn home for Joseph Joel, 73, subscription representative in New York for Jay Emanuel Publications. who died on Friday at King's County Hospital of a heart attack. He will be buried at Bayside Cemetery.

Personal Mention

EDWARD M. SCHNITZER, Eastern district manager for Warners, left for Buffalo yesterday and will be back in a few days.

•

CARL LESERMAN, Warners assistant general sales manager, returned yesterday from a Midwest trip.

•

JOSEPH MOSKOWITZ, New York studio representative for 20th Century-Fox, arrived from the Coast yesterday.

•

JAMES R. GRAINGER, president of Republic, has returned to the home office from a New England trip.

•

BARCLAY W. ARDELL, branch supervisor for Altec Service Corp. in Seattle, is the father of twin boys, born last week.

•

HARRY FRIED, Philadelphia suburban circuit operator, has announced the engagement of his daughter, ANNE, to LOUIS F. COHEN of Washington. They will be married in the Fall.

•

EARL WRIGHT, 20th Century-Fox New Haven salesman, addressed the Rotary Club there last week.

•

ANNA BROWNSTEIN, inspector at the Paramount New Haven exchange, was married Sunday to GEORGE LEVINE of New Haven.

•

FRED BARTOW, Paramount exploitation man in Chicago, has returned from an Ohio vacation.

•

HELENA BRAFFMAN, secretary at the Walbrook, Hilton and Harford in Baltimore, was married Sunday to HENRY EINWOHNER.

•

CONSTANCE CARPOU and VICTOR WALLACE, student bookers at the New Haven M-G-M exchange, have left for the home office.

•

WILLIAM TRITES, assistant manager of the Orpheum in Omaha, has enlisted.

JAMES MULVEY, Eastern representative for Samuel Goldwyn, has returned from the Coast.

•

BARNEY BALABAN, Paramount president, has purchased the home at Greenhaven, Rye, on Long Island Sound, which he occupied with his family last Summer.

•

MAURICE SILVERSTONE plans to leave within the next few days for a vacation of several weeks before beginning work on his new production finance company.

•

ANNA STEN is here from the Coast.

•

JOSEPH I. BREEN, RKO studio head, arrived from the Coast yesterday for a visit of several weeks at the home office.

•

NAT WOLF and JERRY FRIEDLANDER of the Cleveland Variety Club, are working on the selection of underprivileged children who are to attend Summer camps.

•

MRS. EDNA R. CARROLL, chairman of the Pennsylvania State Censor Board, has been reelected vice-president of the Republican City Committee in Philadelphia.

•

JERRY BANTA, second booker at the Des Moines M-G-M office, has left on a two-week vacation.

•

WILLIAM H. CADORET of the Monroe Amusement Co., Rochester, has been named a director of the Rochester Convention and Publicity Bureau.

•

CHARLES SCHLAIFER, advertising manager of the United Artists Theatre in San Francisco, is active in the local United Service Organization drive.

•

ANNA CANELLI of Columbia's New Haven exchange, has returned to work after recovery from an automobile accident.

Agnew to Coast for Product Conferences

Neil F. Agnew, Paramount vice-president in charge of distribution, left for the Coast by plane last night for screenings of new product at the studio and production conferences with Y. Frank Freeman, studio chief, and B. G. De Sylva, production head.

Agnew had returned to New York over the weekend from a tour of Paramount's Southern exchanges. With Robert Gillham, advertising and publicity director, who is now at the studio, he will go to Toronto to attend Paramount's Canadian sales meeting there June 16, at which Del Goodman, Canadian sales manager, will preside. Barney Balaban, Paramount president, also plans to attend that meeting, and will return to New York with Agnew and Gillham for the Paramount annual stockholders' meeting here June 17.

Balaban, Agnew and Stanton Griffis, chairman of the executive committee, are scheduled to leave for the Coast shortly after the stockholders' meeting to discuss new season's product there with company officials.

Milwaukee House to Group of Exhibitors

MILWAUKEE, June 9.—A group of independent Wisconsin exhibitors have annexed the Colonial, local neighborhood theatre, and retained Ernst Langemack, operator of the house, as manager. The new operating company is headed by William L. Ainsworth, Fond du Lac, while A. C. Gutenberg, Milwaukee, is vice-president and Harry Perlewitz, Milwaukee, secretary-treasurer.

Ainsworth and Gutenberg are president and vice-president, respectively, of the ITPA of Wisconsin and Upper Michigan, and Perlewitz is business manager of the association. Also associated with the operating company are August Berkholtz, treasurer of the ITPA of Wisconsin; Charles W. Trampe, Milwaukee exhibitor and head of Monogram- Midwest Film Co., and William Heiman, operator of the Peerless Theatre here.

Change Opening Day

ATLANTA, June 9.—With the changing of Loew's Grand opening day, all Atlanta theatres go to a Thursday opening date except the Capitol.

Aluminum Drive

Atlanta, June 9.

THE Fox Theatre, in cooperation with the Atlanta Constitution, gave a Kiddie Movie Saturday morning to which the admission was a piece of aluminum.

The Fox will turn it over to the Red Cross for sale for the airplane industry and use for the Red Cross.

Critics Silent on Mortimer Walkout

Most of New York daily newspaper film critics are non-committal about the resignation from the Film Critics Circle of Lee Mortimer, critic for the New York *Daily Mirror.*

Mortimer, who succeeded to the *Mirror* post following the resignation of Bland Johaneson because of illness, has been outspoken concerning his fellow critics.

Bosley Crowther, New York *Times'* critic and chairman of the Critics Circle, yesterday said he had not received any resignation from the *Mirror* critic. One woman critic remarked that she was of the belief that Mortimer had automatically been out of the Circle since his published remarks of last December, after last year's film awards voting.

Mortimer, in yesterday's *Mirror,* declared that he will be absent at the next meeting of the Circle, perhaps by request of the other members. "If not, he herewith beats them to it with his resignation," his column said.

He cites reasons, among them: "When newspapermen and women sit down together in a back room over a couple of drinks, they should act like adults and not like children playing secret games in dark rooms."

Coburn at U.C.L.A.

HOLLYWOOD, June 9.—Charles Coburn, veteran stage and screen actor, has been named head of the Speech and Drama Faculty in the Summer Session of the University of California at Los Angeles. He will deliver a series of lectures on "The Art of Acting." He usually heads the Mohawk Drama Festival at Union College, N. Y., each Summer, but that has been cancelled.

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DAILY
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11 New Films Completed; 42 Now in Work

HOLLYWOOD, June 9.—Forty-two pictures were before the cameras this week as 11 finished and 12 started. Thirty-three are being prepared and are being edited.

The tally by studio:

Columbia

Finished: "Mr. Jordan Comes to Town."

In Work: "Our Wife," "Texas," "Tonight Belongs to Us," "Ladies in Retirement," "You'll Never Get Rich."

Started: "The Medico Rides."

Goldwyn

In Work: "The Little Foxes."

Korda

In Work: "Illusions."

M-G-M

Finished: "Barnacle Bill."

In Work: "Young Americans," "The Yearlings," "Life Begins with Andy Hardy," "Smilin' Through," "Ringside Maisie."

Started: "Honky Tonk," untitled Dr. Kildare.

Monogram

In Work: "City Limits."

Started: "Fugitive Valley."

Paramount

Finished: "Birth of the Blues," "Among the Living," "The Sheik of Buffalo Butte."

In Work: "Sullivan's Travels," "Bahama Passage."

Started: "Reap the Wild Winds," "Timber Wolves."

RKO

Finished: Tim Holt western.

In Work: "The Devil and Daniel Webster," "Look Who's Talking," "Mexican Spitfire's Baby" (formerly "Lord Epping Sees a Ghost.")

Republic

Finished: "Hurricane Smith," "Gangs of Sonora."

In Work: "Under Fiesta Stars."

Started: "Ice-Capades."

Roach

Started: "Niagara Falls."

20th Century-Fox

Finished: "Belle Starr."

In Work: "A Yank in the R.A.F.", "Charley's Aunt," "Wild Geese Calling."

Started: "Marry the Boss' Daughter."

Universal

Finished: "San Antonio Rose."

In Work: "Almost an Angel," "Mob Town," "Raiders of the Dust," "I, James Lewis."

Started: "The Masked Caballero."

Warners

Finished: "Dive Bomber."

In Work: "Navy Blues," "The Smiling Ghost," "Law of the Tropics."

Started: "Nine Lives Are Not Enough," "The Maltese Falcon."

Sherman Succeeds Bell

Irwin Sherman of the Columbia exchange operations department has been named to succeed Si Bell of that department, who was assigned recently to the Philadelphia exchange as a salesman.

Hollywood Reviews

"Tight Shoes"

(Universal) *Hollywood, June 9*

YOU'VE got to go back to Damon Runyon's "Broadway Bill" for a picture to liken this one to, but you don't have to go back, up, down or forward to find a picture to send your audience into hysterics. This does it. At any rate, this treatment of another Damon Runyon tale of gangsters, sportfolk and politicians had a Glendale, Cal., theatre audience shuttling between chuckles and screams on the occasion of its press preview.

Like "Broadway Bill," this Runyon-ism presents with candor bordering upon satire, but never less than rough-neck in manner, an assortment of big town characters in a complex but crystal clear tangle of cross purposes. As produced by Jules Levey's Mayfair Productions, with Albert S. Rogell directing in top form, the film is as funny as a Runyon writing and a deal more provocative of laughter-out-loud, being a picture.

Brod Crawford is loudest and funniest of the cast, portraying a blundering slug-ugly enforcing the dictates of the city boss, who combines racketeering with newspaper publishing. Shemp Howard and Ed Gargan play the buddies with which Runyon always equips his Broadway bullies. Close up to Crawford in point of physical activity displayed and abuse absorbed is Binnie Barnes, playing a showgirl with a wallop in either hand and a sense of humor besides. John Howard enacts a sincere young man made into a civic leader by Richard Lane, newspaper man interested in circulation at any price, and Anne Gwynne is a standout as his girl friend. Sara Padden, Samuel S. Hinds, Selmer Jackson, Leo Carrillo, Tom Dugan and Robert Emmett O'Connor are other important contributors to the entertainment.

The story, unfolded rapidly and with never a letdown of humor, save once or twice intentionally to give the audience a breather, shows how a pair of tight shoes—ultimately two pair—changed the political aspect of a city, leading to exposure and dethronement of corrupt political manipulators. It is in no sense, however, a picture with a message or any of those things.

It is, in short, simply a comedy, forthright, funny, furiously effective in the business of amusing the theatregoer.

It is appropriate for presentation to any audience, any place, any time.

Running time, 68 minutes. "G."* ROSCOE WILLIAMS

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*"G" denotes general classification.

"West Point Widow"

(Paramount) *Hollywood, June 9*

A LIGHT comedy depicting the tangled life of a young nurse who bears a baby after the annulment of her marriage to a West Point cadet and who finds eventual happiness with a doctor is "West Point Widow," first Paramount picture to come from the new production unit of Sol C. Siegel. Anne Shirley as the nurse, Richard Carlson as the doctor and Richard Denning as the cadet have the principal roles, with supporting players including Maude Eburne, in an outstanding comedy characterization, Frances Gifford, Janet Beecher and Cecil Kellaway.

The plot has the young mother supporting her child and keeping the baby a secret from the cadet, who has promised to re-marry her on his graduation. In the intervening two years, his love for her has cooled, although she thinks her's hasn't. She weds the doctor instead.

Emphasis is placed by the story and the direction on comedy. Events do not lead to a sharply defined climax.

The picture also marks the debut in Hollywood of Robert Siodmak, European director.

Running time, 63 minutes. "A."* VANCE KING

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*"A" denotes adult classification.

Films Exempted from British Clothes Edict

LONDON, June 9.—The British Board of Trade is understood to have amended the clothing ration order to permit clothing to be manufactured and acquired for the costuming needed for film production.

Although British companies made representations, it is understood American interests were the prime movers, pointing out the impossibility of fulfilling quota requirements if clothing were to be curtailed. The necessity of protecting the film export market also led to the decision.

Delay Chance Game Trial in Kentucky

OWENSBORO, Ky., June 9.—The trial of Malco-Memphis Theatres, Inc., and its local manager, J. C. Tunstill, on charges of operating a lottery, in connection with chance games, has been continued to the September term of the state court.

The continuation followed a defense plea that the state law permits the operation of certain games of chance, such as those conducted at theatres. Judge Sidney B. Neal set July 15 for the filing of defense briefs and Aug. 15 for those of the state.

Arbitration Cases Dropped; Two Dismissed

Two more arbitration complaints were withdrawn yesterday at Buffalo and Memphis and decisions dismissing Cincinnati's first complaint and Washington's third were handed down by arbitrators yesterday.

The Cincinnati decision, made by Judge Stanley Matthews, arbitrator, dealt with the clearance and run complaint of Willis H. Vance, operator of the Ohio and Eden here, and the State, Newport, Ky., against Paramount, Loew's, 20th Century-Fox and Warners, and naming the Hippodrome and Strand theatres, Newport. The arbitrator granted the defense motion to dismiss the run complaint as coming under Section 10 of the decree, which is not in effect until Sept. 1, and then ruled that the existing clearance between the theatres involved is not unreasonable.

The Washington complaint dismissed was that of the Westway Theatre, Baltimore, on clearance, against Warners, 20th Century-Fox and Loew's, and naming the Edgewood, Alpha and Irvington theatres. Sefton Darr, arbitrator, held that the Edgewood is entitled to the 14 days' clearance it holds over the Westway and held that the Alpha and Irvington are outside the controversy.

In his decision, Darr noted that the older and larger Edgewood, in contrast with the Westway, does not indulge in gift or prize nights.

Withdrawal of the only case of record at the Memphis arbitration board followed an agreement between the plaintiff, V. D. Guest of the Camden Theatre, Camden, Ark., with Loew's, the defendant, under which 16 features and 12 shorts were sold to the Camden, and the distributor further agreed to offer its new season product to the plaintiff after Sept. 1.

Withdrawal of the Buffalo case resulted from an agreement that Section 10, under which it was filed, will not be in effect until Sept. 1. The complaint was brought by N. M. Konczakowski, operator of the Marlowe, Buffalo, against all five consenting companies and Shea's Niagara. All four cases filed at Buffalo now have been withdrawn.

A San Francisco complaint was filed by A. C. Karsky, owner of the Laurel, Oakland, against RKO, 20th Century-Fox and Warners, and named nine competing Oakland theatres as interested parties. It charged that the Laurel follows the theatres named by 45 to 50 days and asks a reduction of existing clearance.

Kuen Arbitrator for Phila. Case June 16

PHILADELPHIA, June 9.—S. Eugene Kuen, Jr., local attorney, was named arbitrator of the clearance complaint of Samuel and Morris Romerson, operators of the Palm Theatre here, and hearing was set for June 16.

In New Circuit Jobs

SAN FRANCISCO, June 9.—Hal Neides, former manager of the Orpheum Theatre, has been named division manager in charge of 16 theaters of the Golden State circuit here. Roy Cooper has been made chief film buyer for same circuit.

Cohen Urges Naming Public Relations Unit

Los Angeles, June 9.—Formation of an industry public relations committee consisting of production, distribution and exhibition representatives, to counteract public impressions of business and box-office weakness in the industry, was suggested to the MPTOA convention here in a letter from Max A. Cohen of New York, an MPTOA director and president of New York Allied, affiliate of MPTOA.

Cohen pointed out that public discussion of the "box-office slump" being experienced by the industry "is not doing it any good," and asked for the introduction of a convention resolution calling for the creation of an industry public relations committee.

Too much emphasis is being placed publicly on the decrease in theatre attendance, Cohen believed, urging that "such a committee, operating efficiently, could do more to restore public confidence in the motion picture than any other medium we presently possess."

Hays Confers with Breen and Harmon

(*Continued from page* 1)

tional Defense." He is coordinator of the industry's defense organization.

Hays, who has been at St. Luke's Hospital here for several weeks for rest treatment, will leave next week for a short visit at his home at Sullivan, Ind., after which he will go to New York for a brief period, and then go to Hollywood.

"I feel like the man who came to dinner and stayed a month," Hays said. "I entered St. Luke's for a checkup following an attack of pneumonia earlier in the year, and remained on the recommendation of Dr. Joseph A. Capps, my family physician, for a rest treatment. Since I have been here," he added, "I have learned more about the 'picture' business than I ever knew before. I didn't know so many pictures could be taken from so many angles of the same man."

Commenting on general industry matters, Hays said: "Of much interest and importance is the program recently undertaken by the industry to develop stories with a specific appeal to audiences in Latin America. In furtherance of the good neighbor policy by way of the motion picture screen, various committees of producers are at work in an effort to develop film entertainment which, while holding a strong appeal to audiences in the United States, will at the same time be welcomed by the republics to the South." Hays stated that a number of pictures dealing with Latin American themes, characters, and locales are under serious consideration for dramatization by the Hollywood producers which it is the producers' determination to have accurate. To that end a specialist in Latin American background and history has been added to the personnel of the production code administration.

Feature Reviews

"Saddlemates"

(*Republic*)

Lincoln, June 9

THIS latest cowboy-and-Indian number starring the Three Mesquiteers, Robert Livingston, Bob Steele and Rufe Davis, is on a par with the preceding releases and therefore worthwhile action entertainment. Beside the Mesquiteers, Gale Storm and Peter George Lynn lend able support. There's a good share of comedy and Davis sings one novelty song.

The plot has the Three Mesquiteers as Texas Rangers who join the army when a change of boundaries removes from their jurisdiction the territory terrorized by a half-breed Indian chief, portrayed by Lynn. There is the usual action chases capped by a redskin attack on a wagon train bearing Miss Storm's mother and brother.

The principal weakness is the script, which resorts to age-old stunts as familiar to the western faithful as six-shooters and 10-gallon hats themselves. The photography is commendable.

Running time, 55 minutes. "G."*

"Knockout"

(*Warners*)

"KNOCKOUT" has an abundance of ring action presented in quick tempo. Although not original in its developments, the story of the over-confident pug who falls hard and fast when he nears the top, is a creditable yarn which competently holds together the numerous bang-up sequences.

Arthur Kennedy, who will be remembered for his effective work in "City for Conquest," and Olympe Bradna share the lead and are accompanied by a group of experienced players, including Virginia Field, Anthony Quinn and Cliff Edwards.

The picture might possibly be considered too robust for some feminine patrons but undoubtedly will register where action is preferred. In directing, Michael Fessier has maintained the rapid-pace almost throughout the film.

Running time, 74 minutes. "G."*

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* *"G" denotes general classification.*

Lucas & Jenkins Trailers Aim at Patronage Gain

(*Continued from page* 1)

is not limited to the City of Atlanta, but is actually state-wide.

Holden states that the campaign is working out well and for what it would be worth to other showmen, he has no hesitancy in passing it on to others.

The Lucas & Jenkins people, Holden states, know that business is bad. They know the people need a little pepping up to get them back to the movies. They think that the public needs a good dose of institutional advertising, something to impress the idea upon them that movies are good for them and with this in mind, seven trailers were designed, as suggested by E. E. Whitaker, district manager. Holden prepared the copy. (A typical trailer of this group will be found in the adjoining column.)

These trailers will be run in all Lucas & Jenkins Theatres not only in Atlanta but throughout the state of Georgia. The trailers are rotated from one theatre to another, and when this group has been thoroughly circulated, another group of trailers are to be designed to follow.

Following is the text of a typical trailer used by Lucas & Jenkins in promoting theatre attendance:

MOVIES ARE EVERYBODY'S ENTERTAINMENT!

They provide diversion and mental relaxation as well as entertainment!

Today, more than ever before YOU need the movies!

In the peaceful surroundings of this or any theatre you can forget trouble and care, you can rest and relax mentally and physically!

In these troublesome times we need the stimulating influence that a good movie has on mind, body and soul!

SEE NOT ONE BUT SEVERAL MOVIES EVERY WEEK . . .

At a Theatre under Direction of
LUCAS & JENKINS
"Where Happiness Costs So Little"

Gets Hamrick Post

Seattle, June 9.—Iris Lindahl has been appointed secretary and assistant to Vic Gauntlett, advertising manager of Hamrick-Evergreen Theatres. She succeeds Ed Kelley.

Decree Called Small Benefit To Exhibitors

(*Continued from page* 1)

tion delegates continued to register today for the start of that organization's convention tomorrow when Y. Frank Freeman, president of the Association of M. P. Producers, and William F. Rodgers, M-G-M general sales manager, will be among the principal speakers.

The PCCITO's second annual convention opened with 250 delegates attending and more arriving at the Ambassador Hotel. Mary Pickford greeted the delegates. Addresses were made by Robert H. Poole, executive secretary, and L. O. Lukan, trustee, with Robert White, trustee, presiding.

Poole announced that in addition to the consent decree, topics to be discussed during the forums would be Ascap, student rates, dearth of good pictures, the box-office slump, increase in moveovers, allocations of pictures, clearance of Army camp showings, and elimination by distributors of pictures to be roadshowed.

Lukan renewed his fight on double billing and deplored its prevalence and spread, declaring: "It more than anything else is responsible for small grosses and driving away people from theatres." The fight against the practice should be carried on more vigorously this year, he said, in the face of greatly increased operating costs.

Discussing the decree, Law said: "You have to try it first to see if it will work. If it doesn't, then we want to have concrete records to show Judge Goddard when we go into court after the test period of the decree expires."

The PCCITO will file a suit against Ascap some time after June 20, Law said. He declared that Ascap is an "illegal combination to fix prices and is operating in restraint of trade."

Hugh Bruen of San Francisco said he sees "nothing but great concern for the small theatre owners under the decree," styling it of little help. The practice of buying individual pictures will increase the price average on all films, he asserted, and "grosses won't increase in proportion to the rise in rentals."

He continued: "We all can be oversold on individual pictures but we couldn't be if instead we analyzed our needs for the entire year and then made our deals."

Reviewing the organization's progress since the first convention last year, Poole said that the consent decree had stymied the organization's program somewhat, but one tangible effect was M-G-M agreeing to continue the policy of 20 per cent cancellations. The Conference is on record against blocks-of-five and wants a mandatory 20 per cent cancellation right.

H. V. Harvey will open the MPTOA meeting tomorrow, at which Ed Kuykendall, president, and Morris Loewenstein, secretary, will make their annual reports.

MPTOA and PCCITO delegates and guests joined this afternoon for a visit to the studios.

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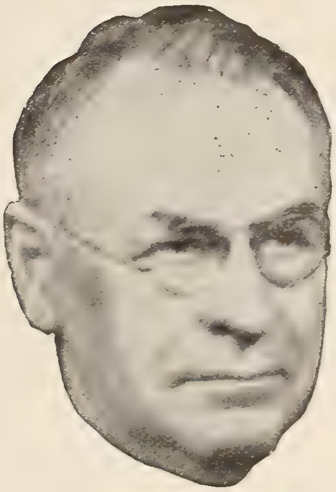

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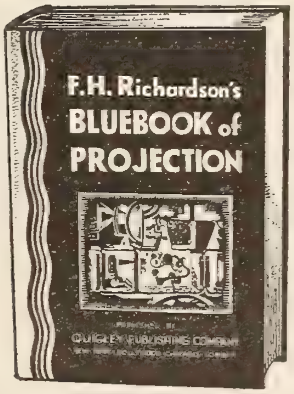

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Canada Cuts Remittance Tax to 10%

TORONTO, June 9.—As a special concession to the film industry, the Dominion Government, through Finance Minister J. L. Ilsley, has reduced from 15 per cent to 10 per cent the tax on remittances by motion pictures distributors to home offices or companies outside the country.

In announcing the reduction, Ilsley declared: "Practically all the companies supplying motion pictures to Canada now have a loss on their operations. This reduces the loss."

The tax on payments to other companies remains unchanged by the new amendment to the Income War Tax Act, which reads: "In the case of motion picture films, one-third of such payments shall not be subject to the tax under this section."

This literally means a tax of 15 per cent on two-thirds of the film remittances leaving Canada.

The Federal tax on film payments from Canada originally was two per cent and was raised to five per cent in 1939, but under the budget provisions last April was advanced threefold.

This reduction does not affect the 20 per cent amusement tax on grosses, which remains unchanged.

'U' Nets $1,759,334 In First Half-Year

Universal's consolidated earnings for the first half of the current fiscal year, ended May 3, amounted to $1,759,334, after all charges but before Federal taxes, J. Cheever Cowdin, chairman of the board, announced yesterday.

MOTION PICTURE DAILY reported on May 5 that Universal's earnings for the first half, before Federal taxes, were estimated at approximately $1,700,000, which indicated a net of $1,000,000 for the second quarter of the fiscal year.

The second quarter net was $1,056,000, marking the first time in Universal's history that quarterly earnings reached the million mark, Cowdin said.

The 1941 result compares with net profit of $1,173,002 for the first half of the company's preceding fiscal year, similarly computed but after provision of $208,000 as a special amortization reserve. No reserve for amortization has been deemed necessary this year on the basis of company experience to date, Cowdin said.

After providing a reserve of $390,000 to cover current normal Federal income taxes for the period, the result for the 26 weeks amounts to $1,369,334. Included in the profit for the period is $188,950 of British revenues blocked in London, computed at the official rate of exchange.

Universal already has received its entire cash allocation from Great Britain for this year under the current film industry monetary agreement.

Short Subject Reviews

"The Rookie Bear"

(M-G-M)

A cartoon play on military training, this makes full use of laugh opportunities. The victim is Mr. Bear who, hibernating in the north woods, receives Uncle Sam's "invitation to a year's vacation." He hustles to camp and finds that army life is not so pleasant. Finally, he again is seen in the woods awakening from a dream and receives a telegram informing him that he really is "in." The short has lots of laughs and with a little exploitation "push" should prove a strong attraction. Running time, 9 mins.

"Willie and the Mouse"

(M-G-M)

John Nesbitt comes through with another entertaining and diversified short. His subject is the parallel in the reactions of mice and children to various approaches in education, such as conquering a potential inferiority complex by proving to the child his own ability. The same is true with the mouse. This is done by teaching in the fashion to which each is best adapted. It is a really interesting and amusing study in psychologoy. Running time, 11 mins.

"Lions on the Loose"

(M-G-M)

Pete Smith takes for his subject this time the escapades of two small cubs who escape from their cage. Their experiences and Smith's comments make for one continuous laugh. The cubs first amble into a child's nursery, and then into the kitchen, making a mess of things in both places. They leave the house and encounter, among other things, a huge python, who retreats when they get playful. It is all very light and amusing. Running time, 9 mins.

"Coffin on Wheels"

(M-G-M)

Used-car chiselers are the concern of this latest "Crime Does Not Pay" short. Its treatment of the subject is similar to most of the previous shorts in the series, being first introduced by the "M-G-M Crime Reporter," and then looking in on the crooks in operation. They obtain junk-heap cars for virtually nothing, make them appear in good condition and then sell them at good prices. One of their victims is a youngster, whose faulty car causes a serious accident, which brings about long prison sentences for the shysters. Running time, 17 mins.

Columbia Sales Staffs Given Greater Autonomy in Field

(Continued from page 1)

ated and proved to be its own decree."

The meeting, held at the Drake Hotel, originally scheduled to close last night, will be concluded tomorrow.

Individual meetings with members of the Southern, Mideast and Western sales divisions were held today, following which the managers of those divisions left for their posts. Meetings will be held tomorrow with Midwestern and Central district managers.

Harry Cohn, Columbia president, and Alexander Hall, director, left for the Coast last night by plane following screenings of six new productions for the sales executives. Jack Cohn, vice-president; Nat Cohn, Irving Wormser, Saul Trauner and Jerome Safron, left for New York today.

Montague will leave for New York after the final session tomorrow, with Rube Jackter, Lou Astor, Lou Weinberg, M. J. Weisfeldt, David A. Lipton, Hank Kaufman, Bernard Zeeman, Maurice Grad, George Josephs, Seth Raisler, Vincent Borelli and Joseph Freiberg.

Motor Shows Start Army Camps Tour

The first unit of U. S. Motor Camp Shows providing entertainment at Army camps started on tour last night. Headed by Allan Jones, the company will make a tour of 10 states with a four-night stand at Fort Bragg, N. C., as the first stop. Jones will fly from Hollywood to join the unit today. At least six additional units are planned, it was said.

The programs have been produced by Harry Delmar under the supervision of Vinton Freedley, director of professional entertainment activities for the Citizens Committee for the Army and Navy. Ken Nichols is the company manager and Stephen Richards will direct the orchestras recruited from soldiers at each camp. Others in the unit, in addition to Jones, are Lou Parker, Colette Lyons, Yola Galli, Margo Sisters and Ginger Harmon.

U.A. Lays Off Field Staffs Temporarily

United Artists field exploitation men throughout the country have been laid off temporarily pending the beginning of deliveries of new season releases.

A field staff of 14, organized last winter under the direction of Monroe Greenthal, advertising and publicity director, and David E. Weshner, director of exploitation, is affected by the move.

United Artists has only one more release scheduled between now and Aug. 8. The field exploitation staff will be reassembled, it is planned, in order to begin work on new season releases

A.F.L. Boycott of Disney Indicated

HOLLYWOOD, June 8.—A Central Labor Council committee headed by J. W. Buzzell, executive secretary, met today with Walt Disney representatives seeking a solution to the strike of cartoon workers before presenting a resolution to a council meeting tonight which might mark the start of a national AFL boycott of Disney films. The Screen Cartoonists have asked all painters to boycott Disney films.

Boost Films, Golden Urges

(Continued from page 1)

the showing of entertainment films at the posts of the nation's armed services.

In discussing problems posed by the Federal consent decree, Golden will say that "Hollywood has met similar problems in the past, and, with [illegible] proven managerial and executive [illegible]ity, it will meet this one acceptably."

Touching upon the industry's foreign trade problems, Golden will report that approximately 20,500 theatres in war-affected Europe alone have been lost to the American motion picture, contributing in large part to the shrinkage of foreign revenue from 40 per cent of the industry's total to its present-day 15 per cent.

He will recommend that an industry group similar to the Production Code Administration be set up to weed out pictures which are not suited for foreign markets still open to the industry, in the interest of promoting good trade and international relations.

Chorus Equity Has Rise in Employment

Employment of Chorus Equity members in musical comedies during the fiscal year ended March 30 increased to 1,882 it was reported yesterday at the annual meeting of the union at the Hotel Astor.

The regular ticket was elected, including Paul Dullzell, chairman of the executive committee; Gerald Moore, recording secretary; Marguerite Benton, Mary Brent, John Eliot, Roger Gerry, Philip Gordon, Norman Van Emburgh and Jean Woods, for three-year council terms, and Bill Marel, Ruth Neslie and June Ruthersford for two-year replacement terms on the council. Eliot was also elected for a three-year term as member of the Actors Equity council and Van Emburgh for a one-year replacement.

At the annual Actors Equity elections held late last week, three independent candidates, Alan Hewitt, Mady Christians and Myron McCormick, were elected. This marked the first election of candidates not on the regular slate.

The other seven candidates elected were Cornelia Otis Skinner, Margaret Webster, John Alexander, Louis Calhern, Ethel Waters, Richard Taber and Lillian Gish. E. John Kennedy was elected to fill an unexpired term.

'49th Parallel' Will Be Released by Col.

Columbia has purchased world distribution rights to the English production, "Forty-ninth Parallel," which was filmed in large measure in Canada last year. Columbia will distribute the film in all countries except Great Britain and Australia. The film was directed by Michael Powell, and features Leslie Howard, Laurence Olivier and Anton Walbrook.

Abbott, Costello Arrive

Bud Abbott and Lou Costello arrived from the Coast last night after completing their new picture, "In the Navy." Universal will give a cocktail party for them at the Hotel Astor today.

'Navy' Draws Good $14,700, Hit in Frisco

San Francisco, June 9.—Several good films boosted the week's grosses above seasonal average. "In the Navy" and "Mr. Dynamite" drew $14,-[illegible] at the Orpheum, "Blood and Sand" and "The Bride Wore Crutches" getting $19,500 at the Fox. "Sunny" drew $16,500 at the Golden Gate, aided by Ray Bolger on stage. The weather was good.

Estimated receipts for the week ending June 3-8.

"Sunny" (RKO)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: vaudeville. Gross: $16,500. (Average, $15,000)
"That Hamilton Woman" (U. A.)
UNITED ARTISTS—(1,200) (25c-30c-40c-50c) 7 days. Gross: $9,800. (Average, $8,000)
"In the Navy" (Univ.)
"Mr. Dynamite" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days. Gross: $14,700. (Average, $8,000)
"A Woman's Face" (M-G-M)
"Washington Melodrama" (M-G-M)
ST. FRANCIS—(1,400) (15c-35c-40c-50c) 7 days, 3rd week (moved over from Warfield). Gross: $5,500. (Average, $6,000)
"Love Crazy" (M-G-M)
"People vs. Doctor Kildare" (M-G-M)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days, 2nd week. (Gross: $9,500. (Average, $11,500)
"Blood and Sand" (20th-Fox)
"The Bride Wore Crutches" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $19,500. (Average, $16,000)
"Billy the Kid" (M-G-M)
"Reaching for the Sun" (Para.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $15,800. (Average. $12,000)
"Pepe le Moko" (Mayer-Burstyn)
CLAY—(400) (15c-35c-45c) 7 days, 4th week. Gross: $900. (Average, $1,000)
"Citizen Kane" (RKO)
GEARY — (1,288) (55c-75c-$1.10-$1.65) 7 days. 2nd week. Gross: $8,500. (Average, $10,000)

'Queen,' Jurgens Lead Milwaukee

Milwaukee, June 9.—Threatening weather over the Memorial Day weekend helped business. Dick Jurgens and his band and the film, "Ellery Queen's Penthouse Mystery," collected $16,400 at the Riverside. "In the Navy" and "Singapore Woman" at the Warner grossed $9,000.

Estimated receipts for the week ending June 5:

"I Wanted Wings" (Para.)
"Her First Beau" (Col.)
PALACE — (2,400) (33c-44c-55c) 7 days. Gross: $6,500. (Average, $4,000)
"Ellery Queen's Penthouse Mystery" (Col.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Stage: Dick Jurgens. Gross: $16,400. (Average, $6,500)
"Love Crazy" (M-G-M)
"Great American Broadcast" (20th-Fox)
STRAND — (1,400) (33c-44c-55c) 7 days. Gross: $2,000. (Average, $1,500)
"In the Navy" (Univ.)
"Singapore Woman" (W. B.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $9,000. (Average, $4,500)
"Blood and Sand" (20th-Fox)
"For Beauty's Sake" (20th-Fox)
WISCONSIN—(3,200) (33c-44c-55c) 7 days. Gross: $8,500. (Average, $5,500)

Charter 4 Companies

Albany, June 9.—Four new companies chartered here include: Glen Theatres, Inc., by Louis Kaplan, Helen Dinowitz and Harry J. Gold; Mayorga, Inc., by James N. MacLean, Frederick M. Thompson and Margaret Mayorga; Monos Theatre Corp., by Joseph and Herma Kingsley and Anna Globes, and Roven Theatre, Inc., by J. B. Meadow, Henrietta Zeichner and Julia Wrobbel.

Feature Reviews

"Out of the Fog"

(Warners)

Hollywood, June 9

DESCRIBED in a screen foreword as a story of oppression typifying conditions prevalent throughout the world, this is a tale of waterfront life in Brooklyn showing the misery inflicted upon peaceful persons by a petty gangster. It is an unusual picture in many respects and a fine one as to production, direction and performance.

On the talent side the film offers Ida Lupino, John Garfield, Thomas Mitchell, Eddie Albert, George Tobias, John Qualen and Aline MacMahon in principal roles, all of them characterizations and all well done.

A version of the stage play, "The Gentle People," the film is beneficiary of production by Henry Blanke and direction by Anatole Litvak.

Treatment given the material emphasizes the brutality of a racketeer preying upon owners of small fishing boats, collecting money on threat of destroying their crafts. Garfield plays the racketeer in typical fashion, Mitchell and Qualen a tailor and a cook who are principal targets of his malice, and Miss Lupino the tailor's daughter who becomes enamoured of Garfield in spite of his abuse of her father. Mitchell and Qualen ultimately decide to kill the gangster but are relieved of the necessity by his accidental death.

At times the picture becomes "talky" in the stage manner but the flaw is not important to the sum of the entertainment.

Running time, 85 minutes. "A."* Roscoe Williams

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*"A" denotes adult classification.

"The Richest Man in Town"

(Columbia)

Hollywood, June 9

DUE to effective performances by Frank Craven and Edgar Buchanan, who make much capital of moderate story material given them, this pastoral comedy-drama engages attention and holds sympathy. While sketchily told, as to story, and light in point of marquee names, the picture is sustained by these portrayals.

Others in the cast are Eileen O'Hearn, Roger Pryor, Tom Dugan, George McKay, Jimmy Dodd, Jan Duggan, John Tyrrell and Harry Tyler.

The story presents Craven as a small town banker and Buchanan as the town newspaper editor, the two friendly enemies since boyhood and now, in senior years, divided on affairs of civic interest. The conflict centers upon support of a Summer theatre project, sponsored by the editor and saved by the banker, who conceals from the editor the means of his assistance. Highlights of interest or two sickbed sequences, one ending in death, which bring the two chronic opponents to display of their essential fondness for each other and their differently expressed kinship of interest in the issues at stake.

Production by Jack Fier and direction by Charles Barton may be said to suffice.

Running time, 69 minutes. "G."* Roscoe Williams

"The Nurse's Secret"

(Warners)

ADAPTED from a story by Mary Roberts Rinehart, "The Nurse's Secret" is a murder mystery which is complicated enough to satisfy the most extravagant demands of any thrill fan for complex clues and highly involved solutions. Indeed, it gets a bit too involved at times.

Lee Patrick is called in to act as nurse to an aged woman (Clara Blandick) at the request of Regis Toomey, who is a detective in charge of his first case. At his request, Miss Patrick agrees to gather evidence while attending to her nursing duties.

There is the usual mysterious butler (Leonard Mudie) and maid (Virginia Brissac) as well as an assortment of faimly retainers including the doctor (Charles D. Waldron) and attorney (Charles Trowbridge) and the latter's secretary (Julie Bishop).

Toomey starts working on the assumption that the death of Miss Blandick's nephew was murder and not accidental, as ruled by the coroner's jury. He discovers that the murdered man had a secret wife in the person of Ann Edmonds and that she had a secret lover in the person of George Campeau. As it develops, almost half the cast had a hand in the murder.

Running time, 65 minutes. "G."* Edward Greif

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*"G" denotes general classification.

'Blood' Takes Good $30,100, Los Angeles

Los Angeles, June 9.—"Blood and Sand" and "The Cowboy and the Blonde" scored a total of $30,100 at two houses, with $12,800 at the Chinese and $17,300 at Loew's State.

Estimated receipts for the week ending June 3:

"Blood and Sand" (20th-Fox)
"The Cowboy and the Blonde" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $12,800. (Average, $12,000)
"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 18th week. Gross: $9,300. (Average, $17,000)
"Citizen Kane" (RKO)
EL CAPITAN—(1,600) (75c-$1.65) 7 days, 4th week. Gross: $4,800.
"Major Barbara" (Pascal-U. A.)
4 STAR—(900) (44c-55c) 7 days, 4th week. Gross: $3,300. (Average, $3,250)
"She Knew All the Answers" (Col.)
"They Dare Not Love" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $8,500. (Average, $6,500)
"Blood and Sand" (20th-Fox)
"The Cowboy and the Blonde" (20th-Fox)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $17,300. (Average, $14,000)
"She Knew All the Answers" (Col.)
"They Dare Not Love" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $8,400. (Average, $7,000)
"Reaching for the Sun" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Jack Teagarden and orchestra. Gross: $10,000. (Average, $18,000)
"Million Dollar Baby" (W. B.)
"Singapore Woman" (W. B.)
WARNER BROS (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $8,900. (Average, $14,000)
"Million Dollar Baby" (W. B.)
"Singapore Woman" (W. B.)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $9,400. (Average, $12,000)

'Broadcast' $10,000 In Denver's Upturn

Denver, June 9. — Business continued good here, although the city's two amusement parks are now in full swing.

Estimated receipts for the week ending June 3-6:

"Meet John Doe" (W. B.)
ALADIN — (1,400) (25c-40c) 7 days, 2nd week. Gross: $2,500. (Average, $2,000)
"Balalaiki" (M-G-M)
"Northwest Passage" (M-G-M)
BROADWAY — (1,400) (40c-50c) 7 days, Reissues. Gross: $2,500. (Average, $2,500)
"One Night in Lisbon" (Para.)
DENHAM — (1,750) (25c-35c-40c) 7 days. 2nd week. Gross: $8,000. (Average, $6,400)
"The Great American Broadcast" (20th-Fox)
"Strange Alibi" (20th-Fox)
DENVER — (2,600) (25c-30c-40c) 7 days. Gross: $10,000. (Average, $8,700)
"Love Crazy" (M-G-M)
"Washington Melodrama" (M-G-M)
ORPHEUM—(2,600) (25c-35c-40c) 7 days, 2nd week. Gross: $8,000. (Average, $8,700)
"Wagons Roll at Night" (W. B.)
"Too Many Blondes" (Univ.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,600. (Average, $3,800)
"Penny Serenade" (Col.)
"Under Age" (Col.)
RIALTO—(900) (25c-40c) 7 days, 3rd week. Gross: $2,500. (Average, $2,100)

3 Films Approved By Decency Legion

Only three new pictures were reviewed and classified by the National Legion of Decency for the current week, and all were approved. "Cyclone on Horseback" and "Reluctant Dragon" were rated unobjectionable for general patronage, and "The Bride Came C.O.D." was classed as unobjectionable for adults.

Fly Foresees New Network Within a Year

WASHINGTON, June 9.—At least one new national network will be formed within a year if the network regulations announced last month are put into effect, it was predicted today by FCC Chairman, James L. Fly, concluding testimony before the Senate Interstate Commerce Committee on Senator's White resolution for an investigation.

Winding up his presentation of the commisson's position, Fly told the committee the FCC had anticipated the barrage "of criticism and misrepresentation" which greeted the regulations.

Point by point, he defended the commission against the charges of the two old networks, that "chaos and confusion" would result, that the industry could clean its own house and that the commission was without jurisdiction.

There will be neither chaos nor confusion, Fly asserted, and so far as the industry cleaning house is concerned, there has been no definite attempt in that direction although two years ago the independent radio network affiliates announced they would undertake it.

Answers Other Charges

The FCC chairman devoted considerable attention to the charge that the networks would have to drop public service programs and disclosed that NBC has warned the Department of Agriculture that its Farm and Home Hour would be taken off the air if the regulations go into effect.

In the first place, he said, sustaining programs are not given stations free, but have been the subject of definite charges by the chains, although today those charges are largely indirect, in the form of free time or time at greatly reduced rates.

"No broadcasting company in this country can afford not to render a high-grade public service," he told the committee. "That has been one of the most constructive things these gentlemen have done."

During the course of the session, Chairman Burton K. Wheeler of Montana launched an attack on stations which have refused to give time to the opponents of our entry into the war but exonerated the networks saying, "I think the chains, in that respect, have been very decent." He recommended that the commission call offending stations "on the carpet" when their licenses come up for renewal, and also suggested that something be done against commentators who, he said, put out propaganda at the behest of an advertiser or a station.

'Awfully Basic Matter'

Fly agreed that this was an "awfully basic matter," and said, "the commission has given it much consideration."

Wheeler on Feb. 12 had written a letter to Fred Weber of Mutual, in which he took sharp exception to what he described as a network policy of one-sided news comment on radio networks. Mutual and CBS at that time denied that anything but impartial treatment had been given. The subject of the controversy at that time was the lease-lend bill.

Much of the session was devoted to argument between members of the committee over the right of the FCC to make a finding of monopoly in advance of a court decision to that effect, Senator Wallace White of Maine, co-author of the original radio bill, arguing that it was the intent of Congress that the commission should revoke a license for monopoly only after a court decision.

Fly, on the other hand, contended there was no doubt of the intent of the present law to have the commission take all steps necessary to prevent monopoly. He pointed out, as a sidelight, that limitations on the number of television or FM stations which might be owned by one interest have met no challenge.

Tomorrow the committee plans to hear representatives of Mutual, who will be followed by officials of the other two networks.

Fly Urges Improved Broadcasts to L. A.

Washington, June 9.—Increased cooperation between international broadcasters and the Government to the end that programs for Latin America be framed better and less marked by advertising was called for today by FCC Chairman James L. Fly. He said that there was already improved coordination of the effort to properly present the United States to Latin America, but much remained to be done. The work, he added, must be voluntary and cooperative.

Off the Antenna

IN a move to expand its artists' bureau, WMCA yesterday appointed Robert Goldstein, a member of its sales staff for the past two years, as director of the bureau. Goldstein formerly was manager of the Abe Lyman Enterprises. He will be assisted by Charles Wilshin who has been with the bureau for several years.

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Purely Personal: *William Anderson, formerly of the local sales staff of the department store division of the* World-Telegram, *yesterday joined the presentation division of the CBS sales promotion department. Anderson formerly was sales promotion director for two CBS affiliates, KMPC, Beverly Hills, and KOMA, Oklahoma . . . Oscar Kronenberg, WBYN salesman, is the father of a daughter . . . Ethel O'Kane, of the KGO-KPO, San Francisco continuity department, will resign June* 15. *She will be succeeded by Temperance Smith. . . . Carey Wilson, M-G-M writer-producer, will be interviewed by Adelaide Hawley over WABC at* 8:45 *this morning.*

• • •

Four NBC-Red stations have recently increased their power. WPTF, Raleigh, N. C., is now operating on 50,000 watts; KRIS, Corpus Christi, Texas, is up to 1,000 watts full time; WTMJ, Milwaukee, is up to 5,000 watts day and 1,000 night, and WAPO, Chattanooga, Tenn., last week went up to 1,000 watts and plans to go to 5,000 day and 1,000 night on or about June 20.

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Program News: Andrew Jergens Co. will sponsor "Adventures of a Thin Man" as replacement for two 15-minute programs, "Tony Martin from Hollywood" and "How Did You Meet?" over 66 NBC-Red stations beginning Wednesday, July 2, 8-8:30 P.M. Instead of the usual "repeat" for the West Coast, there will be a "preview" 8-8:30 P.M. PST the night before . . . Guest stars will be used by Holland Furnace Co. for a seven-week series over NBC-Red Thursdays, 8-8:30 P.M., beginning July 17 . . . Select Theatres (Shubert) has renewed its contract with WABC for three announcements weekly . . . Kem, a plant food, has purchased one weekly participation in "Woman's Page of the Air" over WABC . . . Peter Paul, Inc. has renewed "Bob Garred Reporting" over four CBS Pacific stations and will add a fifth, KOIN, Portland, Ore., in September.

• • •

In Chicago: *John Holbrook, former WDGY, Minneapolis, news editor, has joined WGN as news and commercial announcer . . . Durward Kirby, NBC newsman, and Mary Paxton of the Stack-Goble radio department, were married in Indianapolis last week . . . Rye Billsbury has joined the WJJD announcing staff . . . Ken Ellington, formerly WBBM chief announcer, has been appointed assistant to J. Oren Weaver, special events director for the station.*

• • •

In Philadelphia: Mort Silverman, formerly with WINS, New York, has joined the WDAS sales staff . . . Charles C. Miller, WCAU chief engineer, has invented a portable machine to record the sound of the human heart, in collaboration with Dr. Wilbur Lutz . . . Tom Livezey, formerly with WPEN, has joined the announcing staff of WEEU, Reading, Pa.

Berlin 'Bond' Song Released by Ascap

In response to a request by the Treasury Department, Ascap has released to all stations "for performance by any one at any time at any place without charge" the rights to play Irving Berlin's new song, "Any Bonds Today." The song is designed to aid the Treasury's campaign to sell Defense Bonds.

WGN Commentator Dies

CHICAGO, June 9.—Captain E. D. C. Herne, 51, who has been news commentator for WGN and NBC here, died yesterday at St. Luke's Hospital. His widow, Gladys Herne, survives him.

Charged for Time, Governor Hits WSB

Atlanta, June 9.—In a radio speech over WSB, the city's largest station and owned by the Atlanta Journal—both properties of former Governor Cox of Ohio— Gov. Gene Talmadge of Georgia blasted the station and its owners as being "too mercenary for the good of the public."

The governor was making a [illegible] speech in favor of a proposed amendment to the Georgia constitution which would change the governor's term from two to four years. The station charged the governor for the time.

Local Events Reels On Phila. Television

PHILADELPHIA, June 9.—Specially made newsreels of local events will be a feature of television programs planned by W3XE, the Philco station, after July 1. A mobile camera unit will tour the city for significant events. Films will be edited, a sound track added and the reel will be televised on the same night. Comment on films, news and sports will occupy a large part of the television program, it was said.

Philco is negotiating with both major league baseball for rights to televise their games.

Georgia Tech Told To Operate WGST

ATLANTA, June 9.—The FCC has ordered Georgia Tech, owner of WGST, to assume more active control of the station, which is leased now to the Southern Broadcasting Co., or dispose of it.

The Board of Regents of the University System of Georgia have proposed the placing of a Tech man in charge as executive director. This was done after refusing an offer by a syndicate to purchase the station for a sum well beneath the $1,000,000 value the regents place on the station.

Station in Atlanta Using Own Power

ATLANTA, June 9.—Station WGST is now generating its own power with giant gasoline driven motors, C. H. Calhoun, executive director of the 5,000 watt station, second largest in the city, announced.

Stations WSB and WATL have announced they will close at 12 midnight instead of 1 A. M. to save energy and listeners have been requested to cut off their radios when not actually listening to them.

NBC to Beam Ball Scores to Britain

NBC, in response to a number of mail requests, will start today to include baseball scores in its regular newscasts by short wave to the British Isles. Scores of the American, National and International Leagues will be broadcast.

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Picture
Industry

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DAILY

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VOL. 49. NO. 113 NEW YORK, U. S. A., WEDNESDAY, JUNE 11, 1941 TEN CENTS

AFM in Drive For Orchestras In Film Houses

Resolution to Be Adopted At Seattle Convention

SEATTLE, June 10.—A drive to put orchestras in all theatres in which motion picture companies are financially interested is to be undertaken by the American Federation of Musicians, according to a resolution expected to be adopted by the Federation at its 46th annual convention, now in session here.

James C. Petrillo, president, yesterday bitterly attacked Assistant U. S. Attorney General Thurman Arnold as "a menace maliciously opposed to the AFM." He defied Arnold to take action against himself or the union for alleged monopolistic practices.

The convention opened here yesterday with more than 600 delegates attending. Lieutenant Governor Victor Meyers welcomed the delegates.

Other resolutions awaiting action are: that union musicians be employed in all theatres playing records for fill-in or intermission music; that traveling bands get permission of local unions before appearing on local radio stations to promote their engagements; protesting establishment of picket lines around high schools by the IATSE when the schools refuse to hire stagehands, thus making it impossible for union musicians to play in such picketed schools; providing that high school bands play only at school functions and not in public.

N.J. Allied to Open Convention Today

ATLANTIC CITY, June 10.—The 22nd annual convention of Allied of New Jersey will open here tomorrow at the Ritz-Carlton Hotel, with Lee Newbury, president, as chairman.

Highlights of the three-day meeting will be addresses by Abram F. Myers, general counsel of national Allied; H. A. Cole, president of the national group, and Sidney E. Samuelson, and talks on Friday by sales executives of several of the major distributors.

The convention committee includes Louis Gold, Harry H. Lowenstein and Irving Dollinger. Special attention will be given to ways of counteracting

(*Continued on page* 4)

Television Service Bar Excellence

THE first night baseball game will be televised by NBC tonight. It will come from Ebbets Field where the Pirates will play the Dodgers.

Television is helping the sports writers, too. A receiver has been installed near the bar reserved for the press at Ebbets Field and the writers are certain of missing nothing while stepping out for a quick one!

Producers to Pay$3,000,000 Back Salaries

HOLLYWOOD, June 10.—Producers today agreed to pay retroactive back salaries and overtime to all employes non-exempt under the Wages and Hours Act. The decision was announced by Pat Casey, and Fred Pelton, producers' labor contact officers, at a meeting with representatives of ten IATSE locals. Union leaders estimated a total of $3,000,000 is involved.

With this as the first point in nego-

(*Continued on page* 3)

Cohens Not Among Survivors of Moor

The list of a few survivors from the *Robin Moor*, American merchant ship sunk by a German submarine in the South Atlantic, and made available yesterday, does not include the names of Ben Cohen, Loew theatre manager, or his wife, Berta.

Cohen was en route to take over as manager of the Metro Theatre in Durban, South Africa. The ship left here on May 21.

Born June 10, 1907, Cohen entered

(*Continued on page* 3)

MPTOA DEMANDS PREVIEW PRIORITY FOR EXHIBITORS

Confine Pre-release Screenings to Trade Press to Meet New Selling Conditions, Kuykendall Urges at L. A. Convention

LOS ANGELES, June 10. — Branding the prevailing custom of screening product for the lay press as "one of the main reasons why our business is not as good as we have a right to expect," President Ed Kuykendall today put the MPTOA bluntly on record as demanding that producers and distributors restrict advance screenings of pictures to members of the trade press.

Kuykendall climaxed his address, opening the first MPTOA convention business session, with a ringing indictment of "the branding and labeling of pictures as good, bad or indifferent by the so-called Hollywood columnists, commentators and critcs long in advance of their exhibition to the public."

Summing up a 20-minute presentation of reasons for banning "this system of arbitrarily prejudging and classifying motion picture productions for the general public," Kuykendall said: "We recommend, as a constructive solution to this vital problem, first, that the trade press alone see and review new pictures in advance of actual release and at the trade showings under the consent decree, for the information and guidance of exhibitors and those within the business and, second, that no advance press previews be provided or permitted in Hollywood in advance of the first public exhibition or opening of the picture anywhere in the country."

Calls for Local Reviewing

Speaking of newspaper reviews, Kuykendall said: "The job of reviewing and describing the picture should belong to the local newspapers in each locality, whose critic knows his community and is perfectly competent to judge the picture when it opens there."

In demanding exclusion of lay press writers from pre-release screenings of product, the MPTOA president pointed out: "Now we are faced with a new sales procedure under the consent decree, which revolutionizes our buying and booking of pictures and which will make this problem even more acute and critical. I believe the time has come for you here in Hollywood to recognize the distinction between the trade press, which reviews and

(*Continued on page* 3)

PCCITO Plans Decree Legal Aid Bureau

LOS ANGELES, June 10.—A central legal bureau to advise members on matters pertaining to the consent decree will be set up by the Pacific Coast Conference of Independent Theatre Owners, it was decided today at the second session of the organization's annual convention.

The bureau will be directed by Albert J. Law, former assistant U. S. attorney general, who is now general counsel of the PCCITO. It will advise exhibitor members particularly on the legal points affecting arbitration complaints before they are filed.

The open forum discussion which led to creation of the bureau was preceded by a talk of appreciation by Ed Kuykendall, MPTOA president, for the

(*Continued on page* 3)

Kuykendall Says Trade Press Is Vital Force in Guiding Exhibitors' Buying

Los Angeles, June 10.—"To the trade press generally I pay my respects," Ed Kuykendall, president, today told the MPTOA delegates, "and express my appreciation for the full cooperation they have accorded us on this convention and on all other occasions. They are a vital and integral part of our industry, the coordinating influence, keeping us collectively informed, and in the new selling methods brought about by the consent decree they can and will be more helpful to the average exhibitor than ever, being able, with the cooperation of the producer, to intelligently guide the exhibitors' buying and planning."

Montreal Blackout Has Little Effect on Theatre Grosses

MONTREAL, June 10.—This city last night experienced its first blackout since the war began. It was pronounced by city and military authorities as a success. The town was pitch black for 15 minutes from 10:30 to 10:45 o'clock, except for one or two blast furnaces. Uptown St. Catherine theatres were affected, of course, as street traffic was at a standstill. Pedestrians were forbidden on the thoroughfares and forced to seek "shelter" in doorways while sirens shrieked and airplanes droned overhead.

Theatres issued "passout" checks but insisted business was not interrupted. Many theatres were posted with signs such as "Uninterrupted Show During Blackout," or "Show as Usual During Blackout."

Thousands swarmed into the business sections and atop Mount Royal to "witness" Canada's first blackout.

The local blackout was decided upon only after months of planning and delay. The local Civil Protection Committee's officers were aloft in RCAF bombers during the blackout, to study the effectiveness of the test. Exhibitors here, and in Verdun, Westmount, Rosemount, Outremount and other communities in the Greater Montreal area blacked out lobby and marquee lights, and all cooperated to the fullest extent.

With the last show beginning at 8 P.M., most patrons were out of the theatres between 10:30 and 11 P.M.

Personal Mention

GILBERT GOLDEN, of the Warner home office advertising staff, returned by plane from the coast yesterday.

•

LEONARD MEAKIN, announcer for WINX, Washington, and son of HARDIE MEAKIN, manager of the RKO Keith in the capital, has been commissioned a second lieutenant in the Army. He leaves for Fort Benning, Ga., June 25.

•

BERNARD SATZ, manager of the Casino, Ware, Mass., has returned with his wife from a vacation in Vermont.

•

MORRIS ROSENTHAL, manager of the Majestic, Bridgeport, Conn., is vacationing in the West.

•

LOU COHEN of the Poli, Hartford, Conn., is on vacation.

•

SAMUEL HACKER has gone to Pittsburgh.

ABRAHAM LEFF, president of the Five Boro Circuit here, and MRS. LEFF were honored on their 25th wedding anniversary by several Jewish organizations with which he is affiliated.

•

BEN WHITMAN, manager of the purchasing, maintenance and construction department of Famous Players Canadian Corp., in Toronto, has taken a leave of absence because of illness.

•

O. HENRY BRIGGS, Producers Releasing Corp. president, returned yesterday from Hollywood. ARTHUR GREENBLATT, general sales manager, is due June 20.

•

JOSEPH ANSTEAD of the Elm Street, Worcester, Mass., is visiting his daughter in Montreal.

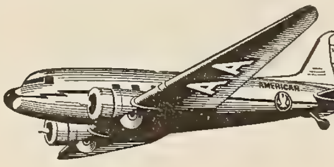
•

CLAYTON CORNELL, manager of Schine's State, Tupper Lake, N. Y., was in town this week with MRS. CORNELL.

Kirsch Calls Session On Chicago Triples

CHICAGO, June 10.—Jack Kirsch, president of Illinois Allied, is calling a special meeting this week with exhibitors showing triple features in an effort to eliminate the practice.

Kirsch today also came out against admission reductions as a means of overcoming the present slump. "Our entertainment is being sold cheap enough as it is without cutting prices," he said.



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AMERICAN AIRLINES *Inc.*
ROUTE OF THE FLAGSHIPS

Exhibitors at Party For Abbott, Costello

More than 100 exhibitors from the metropolitan area turned out yesterday for Universal's cocktail party for Bud Abbott and Lou Costello in the East Ballroom in the Hotel Astor. Home office officials and newspaper people also were present.

Abbott and Costello have just completed their new picture, "In the Navy," for Universal.

Among those present were: Max A. Cohen, Mort Singer, Max Fellerman, Leo Justin, Sam Rosen, Edward Alperson, Leon Rosenblatt, Jules Joelson, Morris Jacks, John Nolan, Sam Rinzler, Oscar Doob, Jack Dietz, Irving Kaplan, Jack Birnbaum, Harold Rodner, Jack Shea, Otto Rettig, Arthur Rapf, John Benas, Gene Picker, William Cadoret, Ernest Emerling, Leo Brecher, L. E. Thompson, Harold Blumenthal, Ben Joel, Jay Golden, George Kelly, Sherwin A. Kane, Harrold Goldgraver, Maurice Miller, Max Jelin, Bernard Brooks, Sam Goodman, John Roberts, Harold Klein, Gene Levy, Robert Pascow; Tony Williams, James Brennan, Matty Polan, Joseph Picker, and Walter Howe.

From the home office were: J. Cheever Cowdin, Matthew J. Fox, Charles D. Prutzman, F. J. A. McCarthy, Louis Pollock, C. V. Kirby, Morris Allin, J. J. O'Connor, Fred Meyers, Hank Linet, Peyton Gibson, Samuel Machnovitch, Jules Levey, Jules Lapidus, Dave Levy, Thomas Murray, J. J. Jordan, Adolph Schimel, B. B. Kreisler, A. J. Sharick, Anthony Petti, Ruth Morrow and Marion Orford.

Technicolor Reelects All Present Officers

All officers of Tenhnicolor, Inc., were reelected yesterday at a meeting of the board, which at the same time declared a dividend of 25 cents a share, payable June 30 to stockholders of record June 20. A similar dividend was declared last March.

Officers reelected were: Dr. Herbert T. Kalmus, president and general manager; George F. Lewis, vice-president and secretary; L. G. Clark, treasurer; L. A. Skinner, assistant secretary.

Dismiss Portland, Dallas Complaints; Four in Two Days

Arbitration complaints in Dallas and Portland have been dismissed under decisions given by arbitrators following hearings, American Arbitration Association headquarters here reported yesterday.

These bring to four the numb[illegible] complaints dismissed in the last [illegible] days, similar decisions having been handed down at Washington and Cincinnati on Monday. In addition, two complaints at Memphis and Buffalo were withdrawn this week.

The Dallas decision, by L. M. Jordan, arbitrator, dismissed the some run complaint of Ruben Frels, operator of the Normana Theatre, El Campo, Tex., against the five consenting companies on the ground that some run had been offered the plaintiff and that the arbitrator is without authority to award a specific run. Costs were divided between plaintiff and defendants.

The Portland decision was dismissed by Arbitrator Joseph K. Carson for the same reasons. The complaint, also on some run, was filed by P. R. Henderson of Albany, Ore., against Loew's, 20th Century-Fox, RKO and Warners.

Hearing of the some run complaint of Ellis Blumenthal of the Lafayette, Winston Salem, N. C., against Warners, RKO and Paramount, scheduled for yesterday, was set for June 16 by C. V. Kilpatrick, arbitrator, at the Charlotte board.

Charlotte's first case, a clearance complaint by H. B. Ram, operator of the Patricia, Aiken, S. C., against all five consenting companies and the Rialto, Dreamland and Miller at Augusta, Ga., scheduled for hearing yesterday, was postponed to June 25.

The clearance complaint of Frank Biordi, operator of the Majestic, Elwood City, Pa., against RKO, Loew's, 20th Century-Fox and Warners, and the Manos Theatre, Elwood City, is scheduled for hearing today at the Pittsburgh board.

Columbia Outing June 20

More than 300 are expected at the annual outing of the Columbian Club of Columbia Pictures, to be held June 20 at the Glenmere Country Club.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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MPTOA Hears Plea to Support Decree

Producers to Pay$3,000,000 Back Salaries

(*Continued from page* 1)

tiations, business representatives headed by Chairman Harold V. Smith then made an appointment for Thursday to discuss 16-point demands presented some time ago covering their crafts' working conditions and wage revisions, setting a deadline of July 1 for consummation of the proposed new agreement.

Moral, Not Legal Obligation

Casey and Pelton are reported to have pointed out that the studios have no legal obligation to make payments but had a moral one in view of posting of notices by producers at the time the Wages-Hours Act went into effect asking employes to keep records of their time worked until determination of classifications under the Federal law are made. The move by producers obviates the possibility of thousands of employe suits against studios which under the act would provide for double payments of moneys due if liability of defendant companies is proved.

Frankel Sues Pathe Firms for $532,000

Suit for $531,915 damages against Pathe Laboratories, Inc., and for $29,400 against Pathe Film Corp. was filed yesterday in N. Y. Supreme Court by Daniel Frankel, former salesmanager of the companies.

Frankel is seeking $460,000 damages from Pathe Laboratories, claiming that he set the five-year deal which Pathe made with Universal Pictures to do the latter's printing. He is suing to recover commissions, which he contends are due for securing printing work and selling film rights for both defendants. In addition the complaint seeks $10,000 allegedly due for work received by the defendants after his employment contract expired in August, 1940.

Answer Claim Films Usurp Radio Time

The charge in NAB *Reports*, publication of the National Association of Broadcasters, that the film industry is trying to "chisel" time on the radio, was answered yesterday by representative film executives with the general reply that radio needs Hollywood news as much as the screen needs radio plugs for films.

The charge was made in a letter by James L. Howe, manager of WBTM, Danville, Va. The film executives here pointed out that radio looks to Hollywood for much of its talent, and that in any case news of Hollywood and the industry is as much a part of general news material as the news on the sporting pages. Another pointed out that recordings are sent out to stations only after they have indicated that they want them, and that the shows so recorded are generally superior to any of the average small station could afford.

MPTOA Demands Preview Priority for Exhibitors

(*Continued from page* 1)

describes pictures for the buyers or exhibitors, and the lay press—newspapers, columnists, commentators and magazines—who advise the public on what to see and what to stay away from.

"The consent decree recognizes this," he continued, and defined it thus: "Trade publication means a daily or weekly newspaper or magazine which is devoted primarily to news concerning the motion picture industry."

"The lay press deals with the general public for reader interest; the trade paper circulates within the industry," he said.

Kuykendall concluded by quoting from Terry Ramsaye's editorial on the subject in the May 17 edition of *Motion Picture Herald* and the assertion that "the next move will have to be up to the producers and distributors."

Government Interference 'Most Vital Problem'

In his annual report on MPTOA activities Kuykendall said: "I have spent many weeks in Washington, fighting the increasing tendency toward Government interference and regulation of our business, which in many instances we, as an industry, are continually inviting because of our own failure to discipline ourselves. This is, in my opinion, the most vital problem with which we are confronted.

Discusses Federal Tax

"I have spent many hours with those drawing tax bills," he went on, "trying to give them an honest and truthful understanding of just what we could and could not take. Some have criticized my suggestion that they drop the admission tax exemption down to the last penny. Naturally, I really prefer that they leave it as it is now, but they won't.

"Therefore, I feel that almost unanimously all exhibitors would prefer to drop the exemption all the way down than to have the film rental tax, which they cannot pass on in any way. This is the situation: We have the lowered exemption, unpleasant as it is, or we have the film rental tax, costing us twelve million dollars, that we pay as exhibitors and cannot pass on.

Urges Being Practical With Consent Decree

"The consent decree has us all wondering," the MPTOA head commented; adding, "it is a matter of record how MPTOA fought this agreement between the Government and producer-distributor interests, without our having a voice in the proceedings, as we were not a party to the suit. Yet our interests were being manhandled.

"However, I must express the opinion that, now that it is a law, we should devote our time to making it work and stop wasting time cussing it. It is with us, so let us be practical. Maybe the Government would like to see us fail in this attempt at regulation."

Kuykendall said the Minnesota law restraining the working of the consent decree in that State "strikes me as a grievous mistake on the part of its sponsors and will undoubtedly bring chaos and much trouble to the exhibitors of that State."

Selling Films Important

Commenting that defense spending is not being reflected through the boxoffice, he declared, "One of our most important problems is that of selling our pictures.

"The labor situation is a national disgrace," he said. "It is beyond my understanding why those charged with the responsibility in our national Government have allowed it to become such. It is not for me to say who is wrong, but whether it be capital or labor, it is still wrong, and must be corrected. I cannot reconcile the procedure of drafting men into the Army at $21 per month while we sit idly by and capital or labor quibble over how much profit they shall have."

War Department Takes Over NBC Nets for 15-Minute Instruction Test

In a demonstration to show how the Army and Navy could use a network in time of emergency to give specific instructions to station owners and employes all over the country, both NBC networks were given over to military officials for a 15-minute period at 1:15 P.M. yesterday. The test was conceived by A. A. Schechter, director of news and special events for NBC.

The 225 NBC station affiliates heard how the armed forces thought news of a military nature ought to be handled. For the first time in 15 years, NBC suspended all program service for a quarter-hour and fed the affiliates the speeches of the Army and Navy officials. Stations were not permitted to broadcast the talk and were compelled to provide local programs.

The talks, which were "off the record," explained the policy of the armed forces on news which might have military value, cited examples and urged care in handling such news. Besides Schechter, those participating were Maj. Robert C. Richardson, Jr., Rear Admiral Arthur J. Hepburn, Lt. Com. Norvelle Sharpe and Ed Kirby, civilian aide in the radio section of the Army public relations bureau.

Freeman and Rodgers Will Speak Today

Los Angeles, June 10.—Y. Frank Freeman, president of the Association of M. P. Producers, and William F. Rodgers, scheduled to address the MPTOA convention today, will instead speak tomorrow afternoon.

Others scheduled as speakers tomorrow are: Federal Judge J. F. T. O'Connor of Los Angeles; Charles C. Pettijohn, MPPDA; George Stevens, Directors' Guild; Dore Schary, Writers' Guild; Edward Arnold, Actors' Guild; Walter Wanger, Col. Nathan Levinson, Academy of M. P. Arts and Sciences; Louella Parsons, Spyros Skouras, Louis B. Mayer, Hal Roach, Francis S. Harmon, Charles H. Arrington, Rocky Mount, N. C.; R. R. Biechele, Kansas City; Ed Fay, Providence; Morris Loewenstein, Oklahoma City; H. V. Harvey, San Francisco; C. A. Hayman, Buffalo.

Mary Pickford, who welcomed the PCCITO convention yesterday, today addressed the MPTOA. She expressed opposition to double bills, terming it "a vicious practice."

Mayor Fletcher Bowron of Los Angeles greeted the delegates.

Delegates were entertained tonight at an all-industry barbecue given at the Columbia ranch.

PCCITO Projects Decree Aid Bureau

(*Continued from page* 1)

Coast group's work in paving the way for the national organization's conclave. He referred especially to Robert H. Poole, PCC executive secretary, and H. V. (Rotus) Harvey, PCC trustee, who acted as general convention chairman for the MPTOA.

Law conducted a question and answer period, out of which the bureau plan was evolved. Members of four regional associations comprising the Conference will first clear their problems through their respective executive secretaries, who will relay matters to Law.

Other subjects discussed were zoning and delayed clearance, moveovers, and the distributors' right to sell some run as provided in the consent decree.

Cohens Not Among Survivors of Moor

(*Continued from page* 1)

the film business as student manager at the Strand in Yonkers in 1929, later filling a similar post at the Bardavon, Poughkeepsie. He handled publicity and advertising for the Paramount, New Haven, in 1931, was city manager at the Capitol, Hazleton, Pa., in 1933, and managed the Broadway, Springfield, Mass., in 1937. He managed the Loew-Poli College Theatre, New Haven, until 1938, when he went to Calcutta, India, as manager of the Metro Theatre. He returned here recently, prior to receiving his new assignment as manager of the South African theatre.

MBS Counsel Urges Defeat Of FCC Probe

WASHINGTON, June 10.—Urging disapproval of the White resolution for an investigation of the FCC, Louis G. Caldwell, Mutual counsel, today told the Senate Interstate Commerce Committee there are only three points at issue: Whether the monoply regulations were developed by unfair and arbitrary procedure; whether there is any real doubt of the commission's power to issue them, and whether the regulations will have the disastrous effects that have been prophesied. Caldwell insisted all could be answered in the negative.

Wheeler Critical of FCC

Chairman Burton K. Wheeler criticized the FCC for having in the past required one applicant to go through long hearings while shortening the procedure for another applicant whose case was almost identical. Wheeler charged the FCC with having been susceptible to "political and other pressure." Wheeler observed, however, that when an effort was made a few years ago to amend the Act, NBC and CBS opposed the amendments although they favor changes now.

Wheeler asserted that the claim of the networks that they built up stations was not well founded and that popularity depends largely on the general conduct of the individual broadcaster.

Free Named to Study Foreign Broadcasts

WASHINGTON, June 10.—Lloyd A. Free, long engaged in radio research and editor of *Public Opinion Quarterly,* today was appointed by the FCC as director of the foreign broadcast monitoring service, set up last March in cooperation with the Defense Communications Board to record and analyze foreign short wave propaganda broadcasts.

Harold M. Graves of the FCC was named administrative assistant of the new unit, which already is in operation.

Goldwyn Buys Story For RKO Production

Samuel Goldwyn has purchased "The Singing and the Gold," an original screenplay, for his third production for distribution by RKO, the company announced yesterday.

William Wyler will direct the production, which will follow "The Little Foxes" and the untitled Gary Cooper comedy which Goldwyn will make for RKO release.

Lloyd in Shrine Parade

INDIANAPOLIS, June 10.—Harold Lloyd, Imperial Outer Guard of the Shrine, rode in an open car alone in the Shrine convention parade here today, and observers said he drew the most cheers.

Tea for Five

London, June 10

THE Kinematograph Renters Society at a meeting today inaugurated a new policy of inviting the press to attend. Council meetings heretofore have been secret.

Indicative of the changed attitude at today's session was the gesture of five council members who sacrificed their own cups of tea so that reporters might have some.

RKO Special Train Due Here Sunday

A special train will leave Chicago Saturday, en route here with delegates from the Midwest, West and Southwest to the RKO 10th annual sales convention, which will open at the Waldorf-Astoria Hotel on Monday.

Arrangements have been made by A. A. Schubart, chairman of the convention travel committee. The special is due here on Sunday.

Breen Meets RKO's Board of Directors

Joseph I. Breen, new general manager of the RKO studios, was presented to the company's board of directors at a meeting yesterday. It was a "get acquainted" meeting, according to report. Breen's contract, it is reported, is for three years with a one-year cancellation clause in favor of RKO.

Simpson New Para. Vancouver Manager

Russell Simpson has been appointed branch manager of Paramount's Vancouver exchange, replacing William Hansher, who died recently. The appointment was made by Neil F. Agnew, distribution head.

Ampa Relief Meeting

Aims and operations of the Ampa committee on relief will be discussed at a special membership meeting of the organization at the Edison Hotel tomorrow noon. This probably will be the last closed meeting of the season, according to Vincent Trotta, president.

WE Sets Dividend

The board of directors of Western Electric Co. has declared a dividend of 75 cents per share on the common stock, payable June 30, to stockholders of record June 25.

Eckman Is Named To British Council

LONDON, June 10.—American producer-distributors will have their own representation on the Cinematograph Films Council for the next three years.

Sam Eckman of M-G-M has been nominated to replace David Griffiths, now inactive, to whom a vote of thanks was accorded for his loyal and efficient service. Fred Baker, representing independent British producer-distributors, will continue on the council.

The Government has asked the industry to curtail the consumption of gasoline, but the Kinematograph Renters Society is withholding action pending further evidence that reduction is necessary.

Meanwhile, the Cinematograph Exhibitors Association general council, meeting at Llandudno, Wales, tomorrow, will consider the current Ministry of Labor negotiations on projectionist Army exemptions.

It is understood there is dissatisfaction in the council with the handling of the case. Harry P. E. Mears, former CEA president, representing independents, and Arthur Moss of Associated British, quit the deputation to Whitehall last week. They contend the CEA attitude is not sufficiently strong.

Court Fight on Rivoli Tax to Open Monday

Certiorari proceedings for review of 10-year assessments on the Rivoli Theatre by the city tax commission, involving a total of $8,200,000 in disputed assessments, is scheduled to open Monday before N. Y. Supreme Court Justice Charles McLaughlin.

The disputed assessments are for the years 1932 through 1941. The Rivoli was assessed at $1,900,000 for the first two years of the period and $1,650,000 annually for the following eight years. United Artists Theatre Corp., owner of the Rivoli, represented by T. Newman Lawler of the O'Brien, Driscoll & Raftery law firm, contend the proper valuation for tax purposes should have been $1,200,000 for the first two years of the period and $800,000 annually thereafter.

TMAU Reelects Grossman

Joseph M. Grossman has been reelected business agent of the Theatrical Managers and Agents Union, defeating Charles J. Mulligan. Other officers, elected without opposition, are: Saul Abraham, president; Oliver M. Sayler, vice-president; Louis P. Werba, secretary-treasurer, and Arthur Singer, sergeant-at-arms.

FPC Invests Million In Canadian Bonds

Toronto, June 10.—J. J. Fitzgibbons, president of Famous Players Canadian, today signed an order on behalf of the company to invest $1,000,000 in the Canadian Government's Victory Bonds to help finance the war effort, it was announced today.

N.J. Allied to Open Convention Today

(*Continued from page* 1)

the general decline in theatre attendance.

The meeting will open tomorrow with the registration of delegates and a meeting of directors in the afternoon, followed by a general business session, including committee reports and nomination of new officers.

Thursday's program will open with a golf tournament at the Northfield Golf Club. In the afternoon the national Allied leaders will speak, and the evening will be devoted to a party at the Nomad Club. An Eastern regional conference is scheduled for Friday, followed by a general session, at which distribution executives are to speak. Officers and directors of New Jersey Allied will be elected at this session, and final committee reports read. The convention will conclude with a testimonial banquet to Newbury in the evening.

Robinson in ATA Short

Edward G. Robinson has agreed to appear in a trailer for the American Tuberculosis Association to be used in fighting the disease.

Ten Equity Officials Resign in Protest Against 'Red' Elements

Florence Reed, second vice-president of Actors Equity, and Peggy Wood, fourth vice-president and eight members of the council resigned yesterday in protest of what they termed "subversive" elements dominating the organization.

These actions are an upshot of last Friday's Equity election at which three independent candidates, including Alan Hewitt, accused of being a Communist, were chosen for the council. Hewitt denied he is a Communist.

The council members resigning are Winifred Lenihan, Muriel Kirkland, Claudia Morgan, Joseph Vitale, William David, Ben Lackland, Alfred Kappeler and Lee Baker.

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Clarify Schine Charges, U. S. Told by Court

Conspiracy Particulars Ordered in Buffalo

BUFFALO, June 11.—Judge John Knight in U. S. District Court here today ordered the Government to provide the defendants in the Schine Circuit anti-trust case with a more definite statement as to whether the Government claims a collective or separate conspiracy.

The court directed the Government to state whether it claims the five non-defendant distributors (the Big 5) are still conspiring with the Schine defendants, and, if not, when such alleged conspiracy ceased.

"It is important that the defendants be so advised in order to make the proper defense," said Judge Knight.

The ruling supported the motion of the Schine defendants for clarification

(*Continued on page* 4)

Miss Parsons Picks Players of Promise

LOS ANGELES, June 11.—The 10 "most promising younger screen players" who in the opinion of Louella O. Parsons are "potential stars," were picked by the Hearst columnist for the MPTOA convention at the Ambassador Hotel here today.

Her choices were: Joan Leslie, Warners; Katherine Grayson, M-G-M; Susan Hayward, Eddie Bracken and Sterling Hayden, Paramount; Glenn Ford, Columbia; Anne Gwynne, Universal; George Mont-

(*Continued on page* 3)

20th-Fox Convention Shifted to Coast

Los Angeles instead of New York will be the place of the annual 20th Century-Fox sales convention to be held July 16 to 18, it was announced yesterday by Herman Wobber, general manager of distribution. The meeting had been set for here.

The meeting was shifted to the Coast to permit Darryl F. Zanuck and other company producers to outline their production plans to the sales forces and allow the screening of rushes of films in work as well as completed pictures.

The home office and Eastern groups will leave New York July 11.

Previews Attacked As Step to Triples At PCCITO Forum

LOS ANGELES, June 11.—The advertising of previews as held in theatres for the press and sometimes as business stimulators was attacked at an open forum of the Pacific Coast Conference of Independent Theatre Owners convention here today. They were termed a step toward triple features by the speakers.

No objection was raised to holding press previews as such, provided they are not advertised to the general public as a box-office stimulant.

Southern California exhibitors called particular attention to the practice of advertising an unnamed third feature as a "preview" although the film had been given a press showing.

Moveovers of films into a second house were excoriated as responsible

(*Continued on page* 3)

Coast Film Critic Answers Kuykendall

HOLLYWOOD, June 11.—First Hollywood newspaper critic to crash into print with a counter-attack on Ed Kuykendall's recommendation that lay press writers be barred from pre-release screenings of product, made yesterday, was James Francis Crow, film editor of the *Hollywood Citizen News*, who devoted the major portion of his space today to answering the MPTOA president.

Crow wrote, in part: "Kuykendall believes that the exhibitors have a right to know whether pictures are

(*Continued on page* 3)

U. S. Sees Voiding Of Minn. Decree Law

Washington, June 11.—Department of Justice officials have expressed themselves as confident that the anti-consent decree law in Minnesota will fall on constitutional grounds in a court test, and that thus the decree will gain an added measure of stability.

Thurman Arnold, Assistant Attorney General, and other department officials are confident that the decree will work out satisfactorily, it was said.

Will Solicit MPTOA's Aid On Axis Films

Washington, June 11.—The State Department, it is reported, has received a communication from U. S. Senator James Mead of New York in regard to banning the importation into this country of Axis films. It is understood that the State Department is considering a reply to the Senator.

LOS ANGELES, June 11.—The question of the continued importation and exhibition of Axis propaganda films in this country, although American films are barred from the Axis countries, it was indicated, will be brought to the floor of the MPTOA conven-

(*Continued on page* 3)

Exhibitors to Hear Views On Theatre Television

LOS ANGELES, June 11.—Exhibitors at the MPTOA convention at the Ambassador Hotel tomorrow are to hear two views on theatre television. One will be that of Colonel Nathan Levinson of Warner Bros., who is expected to personally present the so-called engineering and manufacturers' point of view of the subject.

Levinson's views are reported to coincide with those previously expressed by RCA officials in New York. In contrast to these, although described as not necessarily in opposition to them, there will be read, according to the present convention

(*Continued on page* 4)

See No Opposition to KAO Reorganization

Officials of Keith-Albee-Orpheum Corp., chief RKO theatre subsidiary, yesterday declared that there is no stockholder opposition to the plan of reorganization for the company, scheduled to be voted on at a special stockholders meeting today.

However, in view of the fact that the contracts concerning the refunding program of K-A-O and B. F. Keith Corp. have not as yet been completed, it is believed likely that the stockholders meeting may be postponed.

Metro Rentals On Percentage Only Foreseen

Indicated by Rodgers in MPTOA Address

LOS ANGELES, June 11.—Film rentals under M-G-M's new season sales plan will be based solely on gross receipts, William F. Rodgers, general sales manager, told the MPTOA convention in session at the Ambassador Hotel here today.

W. F. Rodgers

Convention observers were of the opinion that Rodgers' plan indicated rentals by M-G-M on a straight percentage basis.

Rodgers did not divulge the details of his plan but, conceding that national sales policies based on that formula had been criticized in the past, he believes that the method to be employed by M-G-M "after months of study and conferences with theatre

(*Continued on page* 3)

For more news on convention, see Pages 3 and 4.

N. J. Allied Feels Setback Temporary

By SHERWIN A. KANE

ATLANTIC CITY, June 11.—The decline in theatre business, announced bv Allied Theatre Owners of New Jersey as the principal topic before the opening session today of its annual convention at the Ritz-Carlton Hotel here, aroused but slight interest among the exhibitors who have just finished tabulating record-breaking receipts for the Memorial Day weekend.

After a discussion which occupied most of the initial business meeting of the convention, the subject of "bad" business was tabled by the delegates on the grounds that it may be only a temporary symptom which will be remedied long before corrective measures adopted now could take effect.

(*Continued on page* 4)

Personal Mention

NEIL AGNEW, vice-president and general sales manager of Paramount, is expected to arrive from Hollywood Tuesday.

●

WILLIAM F. RODGERS, general sales manager of M-G-M, will leave the Coast today for the home office.

●

R. B. WILBY, president of the Wilby-Kincey Corp., Atlanta, has been elected president of the Georgia Tech National Alumni Association.

●

EARLE HOLDEN, manager of the Capitol, Atlanta, has been elected vice-president of the Atlanta Lions Club.

●

JULES LEVEY, head of Mayfair Productions, leaves today for a tour of New England cities.

●

JAMES SAVAGE of the Balaban & Katz press department in Chicago, and DOROTHY MORRIS will be married Saturday.

●

LEO RICCI of the Capitol, Meridan, Conn., will leave shortly on a trip to New Orleans.

●

MASON GARBETT, son of E. M. GARBETT, JR., Des Moines circuit operator, and BETTY CARLSON will be married soon.

●

WALTER F. ROONEY, manager of the Hart Theatre, Wilkes Barre, Pa., and FRANCES DOYLE were married last week.

●

VYVYAN DONNER, fashion director of Movietone News, leaves Sunday for the Coast by plane.

●

ABE SABLOSKY, Philadelphia exhibitor, became a grandfather with the birth of a daughter to MRS. LEON GREENHOUSE, his daughter.

●

SAMUEL BROIDY, Monogram general sales manager, left yesterday for the South.

Ballot Plan Rejected By Disney Strikers

HOLLYWOOD, June 11.—Striking Walt Disney cartoon workers today unanimously rejected a proposal of Disney for a secret ballot to determine the bargaining agency for their claimed jurisdictions, as suggested by Disney last night at a conference to settle the walkout.

Disney was informed late today of the strikers' decision by Harold V. Smith, IATSE leader, who last night brought together striker representatives, Disney and William Garity, Disney chief engineer.

Thorson Heads CBC, Canada's Film Board

MONTREAL, June 11.—Prime Minister King announced today that Joseph Thorson has been named Minister of War Services in the Dominion Cabinet.

The Canadian Broadcasting Corp., Canadian Travel Bureau and National Film Board have been designated as war services.

Hollywood Review

"Man Hunt"

(20th Century-Fox)

Hollywood, June 11

THIS is a grim melodrama depicting the hunting down of a British citizen by the German secret police in the period immediately preceding the war and closing on the day Poland was invaded. It is bluntly anti-Nazi in substance, dialogue and treatment, comparing in that regard with the melodramas produced in the United States after America's entry into World War I and during the conflict. There are no American characters or references in this picture, however.

Produced by Kenneth Macgowan with painstaking attention to detail and mood, the film offers Walter Pidgeon as an Englishman captured, tortured by and ultimately escaping from the German secret service agents, thence pursued through London and finally brought to bay in a cave on the English countryside where the finale takes place. Opposite him as relentless pursuer and persecutor is George Sanders, aided by John Carradine, while Joan Bennett plays a London girl of the streets who befriends the pursued Briton, and is killed by the Nazis when she refuses to lead them to their quarry. These and others in the cast, including Roddy McDowall, Ludwig Stossel, Heather Thatcher, Frederick Worlock, Roger Imhof, Egon Brecher, Holmes Herbert and others, give excellent performances under Fritz Lang's powerful direction.

The film opens strikingly with the Briton, a famous big-game hunter, ensconced in the woods near Berchtesgaden with a long-range rifle aimed at Adolf Hitler, seen on the balcony. Although it is made plain to the audience that he has no intention of firing the gun, a Storm Trooper who arrests him and later the German authorities, decline to believe him but offer him his freedom on condition that he sign a confession saying that he was attempting to assassinate Hitler on orders from the British government. How he survives their attempt to murder him, for refusing to sign, and is pursued to London and beyond by agents continuing to offer him freedom on those terms or death, makes up a thrilling series of adventures. End of the picture shows the Briton, after war has been declared, being dropped into Germany by parachute with a commission to assassinate Hitler, an off-screen voice stating that it may take weeks, months or years for him to achieve his destiny.

Running time, 105 minutes. "G."* ROSCOE WILLIAMS

"G" denotes general classification.

RKO Quarter Net Profit at $643,926

RKO yesterday reported net profit after all charges for the 13 weeks ended April 5 last, of $643,926, which compares with net profit of $535,088 for the quarter ended March 30, 1940.

On Tuesday MOTION PICTURE DAILY estimated the first quarter's profit for RKO to be in excess of $600,000.

The report indicated, for the 1941 quarter, profit from operations, before depreciation and income taxes and before provision for preferred dividends, of $1,265,933, compared with $1,148,402 in the 1940 quarter. Depreciation and income taxes were placed at $548,813 for the 1941 quarter and $538,864 for the quarter last year.

Schaefer, Breen West Next Week

George J. Schaefer, president of RKO, is expected to leave for Hollywood about the middle of next week. It is reported that he expects to remain on the Coast indefinitely. Joseph I. Breen, newly appointed general manager of RKO's studio, is expected to accompany him.

Loop Palace Stays Open

CHICAGO, June 11. — The Palace here will not close for the Summer as previously reported, according to Tom Gorman, RKO district manager.

Morgan Starts Tour Of Para. Exchanges

Oscar A. Morgan, Paramount short subject sales manager, will start a series of branch meetings on the shorts product with a session in Washington tomorrow. Accompanying him on the trip will be Monroe Goodman, his assistant; Manny Reiner, shorts publicity manager, and Earle Sweigert, district manager. Morgan is scheduled to address the Paramount divisional meeting in Toronto next Monday.

Block New 20th-Fox Eastern Story Chief

Bertram Block, formerly with Samuel Goldwyn and M-G-M, has been appointed to succeed the late Franklyn Underwood as Eastern story editor for 20th Century-Fox, it was announced yesterday by Joseph Moskowitz, Eastern studio representative. Block was M-G-M story editor about 11 years.

Ted Reilly Rites Today

AVOCA, Pa., June 11.—Ted J. Reilly, 65, veteran manager of the Palace Theatre here, died Monday after several months' illness. Funeral will be held tomorrow. Reilly became affiliated with the Comerford circuit more than 30 years ago. He is an uncle of Michael Whalen, film star. Survivors include his widow, a daughter and a brother.

Civic Celebration Proposed for N. Y.

A "Father Knickerbocker Holiday," patterned after New Orleans' Mardi Gras, was proposed for New York City yesterday by Robert K. Christenberry, president of the Broadway Association, in his annual report to the association.

Christenberry announced that he has selected William Morris, Jr., head of the theatrical booking agency which bears his name, and chairman of the association's Times Square Committee, to plan and execute the celebration, which is to be held in 1942.

F. L. Dyer Was First Industry Attorney

Frank L. Dyer, who died last week at his home in retirement in Ventnor, N. J., was the first attorney in the motion picture industry, long a confidant and counsel to the late Thomas A. Edison, and besides both an inventor and executive of note. Dyer was 70 years old.

He was born in Washington, D. C., Aug. 2, 1870. He was graduated from George Washington Law School in 1891 and entered practice as a lawyer in 1892. He assumed charge of Edison's patent law matter in 1897, which was the year after the pictures first reached the screen. Subsequently Dyer held many Edison posts, president of the National Phonograph Co., later Thomas A. Edison, Inc., general manager of the Edison Phonograph Works, president of the Bates Manufacturing Co., general manager of the Edison Storage Battery, Motion Picture Patents Co., president, General Film Company.

After February, 1914, Dyer withdrew from corporation offices and became a general patent expert. He invented the system of electrical recording for talking machines and the long playing record.

Veteran Actor Dies

DETROIT, June 11.—Hershel Mayall, 78, film actor in the early silent days, died last night in St. Mary's Hospital of a cerebral hemorrhage.

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Trade Leaders Address MPTOA Session

Previews Attacked As Step to Triples At PCCITO Forum

(*Continued from page* 1)

the withholding of product from subsequents.

The convention voted unanimously to establish a "proper program to oppose any producer or distributor who might take advantage of discriminating practices perhaps not authorized but still permitted under the consent decree."

It was indicated that a resolution opposing national daylight saving time will be introduced tomorrow.

Student rates, as practiced by Fox West Coast, met with disapproval by the speakers who wanted to retain the children's admission for those 12 years or younger.

Robert H. Poole opened the meeting and L. O. Lukan presided.

Coast Film Critic Answers Kuykendall

(*Continued from page* 1)

good, bad or indifferent before they buy them, but he denies by clear implication that the public has a right to the same information before the public buys them. Kuykendall says he is in favor of honest criticism and a free press. He is in favor of honest criticism after he has sold his pictures to the public. He is in favor of the press being free as long as it is free at the time established by Kuykendall."

Paraphrasing Kuykendall's text, Crow wrote: "Newspapers don't critisize Ford automobiles or Campbell's soups, says Kuykendall. But Ford automobiles and Campbell soups come guaranteed. You can drive a Ford around the block before you buy it. You can take a bad tin of soup back to your grocer and he will give you your money back. Will Kuykendall make the same offer to the picture patrons to whom he sells 'Forever Yours'?"

Louella O. Parsons also commented on the position taken by Kuykendall, in speaking at the MPTOA convention today.

"I believe he is partly right and partly wrong," she said. "I believe reviewers should not see pictures before they are finished. But I believe that those of us who see and love pictures and praise them, help. Advance praise in many newspapers cannot harm a motion picture. Everything possible must be done to bring people to the theatres."

Bioff Arraignment In N. Y. Court Today

Willie Bioff, IATSE official in Hollywood, is scheduled to appear today before Federal Judge John C. Knox for arraignment on charges of violating the Federal racketeering laws in connection with his indictment with George E. Browne, IATSE president, alleging extortion of $550,000 from film companies. Browne is scheduled to be arraigned June 20.

Metro Terms on Percentage Only Foreseen for '41-'42

(*Continued from page* 1)

owners," will apply "the proper sliderule to each individual situation."

An important phase of the plan, Rodgers said, is that it is predicated upon a one-time solicitation of the exhibitor account by the company's salesmen. It dispenses with "barter" in the making of film deals and contemplates the offering of the "best proposal first," the M-G-M sales head asserted.

"As heretofore," Rodgers said, "we will stand behind our valuation of our pictures. We do not want, much less expect, to overcharge our customers. Neither do we expect them to unnecessarily delay in their buying, or to assume more than the ordinary business risk. We speculate on the public's taste in producing our pictures and are willing to speculate on our ultimate returns on the very same basis."

Asserting that the outlines of the plan will be divulged "at the proper time," Rodgers intimated that under it the company will expect the cooperation of exhibitors in the form of the most favorable exhibition policies which the product and local conditions may warrant.

Significantly, Rodgers said, the plan "provides an incentive to give deserving pictures extended time—you and your business to be the judge."

The exhibitor cooperation which may be justified by product and local conditions, he suggested, might take the form of single featuring, increased admissions on individual pictures or a general advance in prices, in addition to extended runs, all to be decided by the individual exhibitor, and to provide the answer to whether producers will be encouraged to "expend even greater sums to make great pictures."

Rodgers said that M-G-M plans to begin trade showing its new product in July "at times and places most convenient to our customers" to encourage their attendance.

The M-G-M sales head referred to the current decline in theatre attendance and urged better showmanship efforts by exhibitors and increased cooperation on their part with the rest of the industry in correcting it.

"Good pictures alone will not bring back your patrons in satisfactory numbers," he said. "They will help, but your appeals to the public must be compelling. Presentation is both important and necessary."

The industry is faced with the fact that other forms of amusement have taken their toll of motion picture patrons, he told the convention, but reminded the theatre owners that "they can be brought back by the downright hard work that all of us are capable of but, unfortunately, some are reluctant to perform."

Pointing out that not all of the blame can be laid at Hollywood's door, Rodgers said, "I am firm in the conviction that the type of showmanship that offers a gas range, five big prizes and a second feature with 'Men of Boys Town' for 25 cents, that I chanced upon here in Los Angeles, is not the type of showmanship that will ultimately be successful in bringing back our patrons. I am firmly convinced that this is not a two-for-one or triple feature business."

"If that is showmanship," Rodgers continued, "then what possible encouragement is there to a studio such as ours to continue to seek the best brains in the artistic and literary fields and the best brains in the production field to supply the best in motion picture values?"

Asserting that pictures "as a whole from all companies this year have shown a great improvement," Rodgers urged the exhibitors to a realization that "in these aggressive days there will not be that normal increase of business unless the entire industry works a little harder, thinks a little harder, tries a little harder, boosts a little more and sobs a little less."

Despite "injustices" which exist in the business, Rodgers declared that it is not true that "the distributor is your natural enemy." He recommended the use of arbitration "as the cheapest, speediest and most effective method to correct our differences," and scored long, expensive litigation.

"Dividends can never be paid out of quarrels," he said, "so why not face our common problems together and benefit mutually when our ultimate objective is identical?"

'We Must Rid Industry of Unfair Gossip and Criticism': Wanger

Los Angeles, June 11.—Walter Wanger, president of the Academy of Motion Picture Arts and Sciences, today told the MPTOA convention: "We must rid our industry of the unfair type of gossip and unfair criticism driving people away from our theatres."

He urged exhibitors "to stop thinking of our industry in terms of bowling alleys, baseball games and racetracks and realize that it is an important part of national life." Wanger also attacked double bills and concluded by urging scientific study of the public's tastes and experimentation with new types of pictures to bring new audiences to the theatres.

Will Solicit MPTOA's Aid On Axis Films

(*Continued from page* 1)

tion at the Ambassador Hotel tomorrow. A. C. Hayman, president and chairman of the MPTO of Western New York, it is reported, will read a communication on the question from Max A. Cohen, president of Allied Theatre Owners of New York, Inc.

This communication will outline the efforts so far exerted to bar the showing of Nazi, Fascist and Communist films, and will cite the danger inherent in the circulation of such product made for the purpose of undermining American institutions and ideals.

Cohen has been instrumental in obtaining the aid of Senator James Mead of New York to carry the fight of exhibitors against the continued exhibition of such films to the U. S. State Department.

Cohen's communication, which Hayman is to read to the convention, in part states:

"Unfortunately, we hear that there seems to be an impression in some circles that the Government cannot place an embargo on such films for diplomatic reasons. Nevertheless, it is true that the income earned by these films in this country, in addition to the insidious propaganda which they spread, is exported to the Axis countries, Russia, Italy and Germany. The matter has become one of national importance. So much so, that newspapers around the country have taken up the fight with us.

"We are hoping that the State Department will take appropriate action soon. This report for your committee is offered in the hope that the committee on resolutions of this convention will inscribe on the records of this meeting thanks to U. S. Senator Mead for what he is doing in this respect, and assuring him of our fullest support in his efforts as well as ours to keep Fascist, Communist and Nazi films out of the United States."

Miss Parsons Picks Players of Promise

(*Continued from page* 1)

gomery, 20th Century-Fox; Jack Beutel, with Howard Hughes, and Todd Karns, with Leo McCarey.

Miss Parsons urged the studios to pay more heed to the opinions of exhibitors on pictures, declaring that they alone are qualified to pass judgment on production results. In turn, she urged exhibitors to adapt radio to their own purposes instead of trying to fight it. Miss Parsons conducts the radio show, "Hollywood Premiere."

"Many exhibitors have taken the attitude that radio is taking customers away from the theatres," she said. "I am not qualified to discuss that but I do know that radio can be an important factor in building business for theatres when it is intelligently employed."

Duals an Evil, Freeman Tells L. A. Conclave

Y. Frank Freeman

LOS ANGELES, June 11.—"Double bills are an evil and have caused stagnation of the business," Y. Frank Freeman, president of the Association of Motion Picture Producers, told the MPTOA convention today.

He predicted that when leaders of the industry recognize the effects of double features, the practice will be stopped. He also suggested that exhibitors conduct individual surveys to find out why people in their locality stay away from pictures. He concluded by expressing confidence that present problems will be solved by hard work.

C. C. Pettijohn, MPPDA general counsel, said a total of 1,250 bills affecting the industry were introduced this year in 43 state legislatures, 500 more than in any year in the last two decades, but results have been better than at any other time.

Pettijohn praised the old system of arbitration which he said cost one-fourth of the system established by the consent decree, and he predicted that the industry would return to the former method.

Roach Speaks on Product

Speaking on his future production program Hal Roach listed advantages of his "streamlined features," which will run from 45 to 60 minutes, as making possible retention of normal turnover, obviating alteration of schedules, satisfying both pro and con double feature fans, eliminating late show breaks, improvement in quality over second features, and elimination of overtime charges for theatre staffs.

Speakers scheduled tomorrow are Hedda Hopper, Edward Arnold, president, SAG; Rep. John M. Costello, J. Noble Braden, AAA executive secretary; Austin C. Keough, Paramount general counsel; John H. Harris, chief barker, Variety Clubs; Claude F. Lee, Paramount; H. M. Richey, M-G-M.

Regional Units to Report

MPTOA regional units' reports will be given by J. M. Hone, Seattle; Arthur H. Lockwood, New Haven; Sidney B. Lust, Washington; O. C. Lam, Atlanta; Joseph H. Brennan, Boston; Lewen Pizor, Philadelphia; James C. Shanklin, West Virginia; Roy L. Walker, Texas; Fred Wehrenberg, St. Louis; R. X. Williams, Jr., Oxford, Miss.

Federal Judge J. F. T. O'Connor, speaking for Postmaster General Frank C. Walker, lauded exhibitors and artists for aiding in "causes of democracy" and for expressions of patriotism.

Francis Harmon, coordinator of the Motion Picture Committee Cooperating for National Defense, described the "unlimited cooperation of the industry in the unlimited emergency." He announced a slogan for all exhibitors and others in the industry: "A defense film with every program."

Three new shorts have been turned over by the Office of Production Management to the industry for distribution, he reported. The titles are "Bits and Pieces," "America Builds Ships" and "Army in Overalls." He said "Land of Liberty" had played in 3,985 theatres to date and is expected to play in 5,000 more.

Carbon Supply Assured

There will be no shortage of carbon nor rise in prices during the national emergency, E. A. Williford, general sales manager of the National Carbon Co., told MPTOA delegates. The company is prepared to supply all needs in the United States and England he declared, and there is no need for stocking up by exhibitors and studios.

Art for art's sake alone is "out" among Hollywood writers, Dore Schary, executive of the Screen Writers Guild, told the convention. Pleading for a new understanding among exhibitors, producers and writers, Schary said in Hollywood a new breed of writers has sprung into existence which looks at the box-office as a barometer of success and which has flung aside the idea of writing "arty stuff."

Exhibitors to Hear Views On Theatre Television

(*Continued from page* 1)

schedule, a report of the MPTOA Fact Finding Committee on Television, advising exhibitors to be cautious in taking up the new art. Max A. Cohen was committee chairman.

Besides Cohen, the MPTOA committee on television appointed by Ed Kuykendall to make a report to the convention consisted of Leonard Goldenson, Paramount Theatres head, and Arthur H. Lockwood, Boston exhibitor.

The report is to be read, according to present arrangements, by A. C. Hayman, president and chairman of the MPTO of Western New York.

Cohen's report sounds a warning that in theatre television there is danger of exhibitors opening their theatres to a medium already under Government control and regulation. "Such regulation could lead ultimately to the Federal regulation of the exhibition business," Cohen declares.

The Cohen report also points out that no provision has been made for clearance among theatres involved in television. The theatre's competition with home televisors recording the same events also is cited. The report expresses the belief that television is far from being practical for theatres at the present time.

In his report, Colonel Levinson stresses the value of the "suspense factor" in theatre television, since it supplies news as it happens, rather than after the result is known. This factor presents "a possible interesting box-office potential," he says.

Levinson also expresses the belief that matinee business in the theatre particularly, "might not only get back many of its old audience, but might possibly win new patrons with horse racing, baseball and other sports."

N. J. Allied Feels Setback Temporary

(*Continued from page* 1)

If not, the problem will be tackled by the organization at a future date, it was decided.

Newbury Declines to Run

Lee Newbury, president for the past six years, has declined another term.

Abram F. Myers, Allied States general counsel and chairman; Col. H. A. Cole, president, and Sidney E. Samuelson, director, are scheduled to speak tomorrow on arbitration, the consent decree, sales policies, product and other topics.

The bulk of the delegates are expected here tomorrow for the main business sessions, which wind up Friday with Allied's eastern regional conference, committee reports and resolutions, and election of officers.

Product, Weather Blamed

Product and unseasonable weather shared what little blame was voiced for the "temporary, perhaps, recession." Newbury and Harry Lowenstein, New Jersey Allied secretary, submitted surveys of defense spending which tended to show that theatre attendance has been poorest in areas which have received the greatest amount of defense contracts. No explanation of the paradox was advanced. Numerous forms of competing entertainment, which the exhibitors believe are cutting greater inroads annually into theatre patronage, also were cited as reasons.

Clarify Conspiracy, U. S. Told by Court

(*Continued from page* 1)

of the Government's amended complaint and a bill of particulars.

The defendants are entitled to the information requested particularly in view of the Government statement made on argument of the motion "that the Government had not dropped the charges in the original complaint herein charging conspiracy between each distributor acting separately and the Schine defendants."

To Provide Product Data

Ruling on the Schine request that the Government state the percentage of "first class feature pictures" distributed within the last 10 years by the defendant distributors and non-defendant distributors, separately, the court pointed out that the collective figures were set forth in the amended complaint and that there was no reason why the separate figures should not be given. He ruled, however, that the Government "should not be restricted to any definite percentage" although he ordered the Government to make available the figures it has.

Narrow FCC Probe Issue To Monopoly

WASHINGTON, June 11.—Issues in the radio investigation by the Senate Interstate Commerce Committee holding hearings on the White resolu[illegible] were narrowed today to the s[illegible] question of monopoly when members of the committee, examining Louis G. Caldwell, Mutual counsel, indicated that their interests lie in the determination of the jurisdiction of the FCC to deal with that subject.

Caldwell declared there is no doubt of the authority of the FCC to grant or deny licenses on social and economic as well as technical grounds. He opened up a new vista by reminding the committee that the law provides commission approval shall be secured not only for transfers of licenses but for transfers of rights under licenses.

Caldwell asserted that no matter what position the committee might take on the White resolution, the whole question now under discussion ultimately will be taken to the courts for determination.

Senator White Disagrees

The Mutual representative stressed the contention that the radio act was designed to foster "free competition." Senator Wallace H. White disagreed, pointing out that free competition in broadcasting is made impossible by physical and technical limitations.

Raising the question of service to the rural areas, Senator Burton K. Wheeler disclosed that when CBS and NBC representatives take the stand they will be questioned about putting programs into small stations so that the rural population may get broadcasting's best features.

Senator D. Worth Clark again attacked the allegedly biased programs of news commentators.

WOR on 24-Hour Basis Seven Days

WOR changed its plans last night and announced it would operate 24 hours, beginning June 17, with Jerry Lawrence as announcer-producer for the additional three and one-half hours daily. Originally, WOR had stated that it would be on a continuous basis five days weekly.

It was believed in radio circles that WOR would be the only station in the country on the air at all times. Other stations have operated on 24-hour schedules but not seven days weekly. The extra hours from 2 to 5:30 A.M. will consist of news every 30 minutes, recorded music, a sports summary, a recording of "Here's Morgan," and BBC news.

Equity Resignations Are Termed Unwise

Denying that the Actors Equity council or membership is Communist-dominated, Paul Dullzell, executive secretary, declared yesterday that the resignations of the 10 union officials yesterday "were as unnecessary as they were unwise."

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VOL. 49. NO. 115 NEW YORK, U. S. A., FRIDAY, JUNE 13, 1941 TEN CENTS

Allied Calls All-Industry Conference

Myers So Designates Its Annual Convention

By SHERWIN A. KANE

ATLANTIC CITY, June 12.—An invitation by Abram F. Myers, Allied States chairman and general counsel, to make Allied's national convention in Philadelphia, Sept. 16 to 19, the occasion for an all-industry conference, and a prediction by Col. H. A. Cole, president, that better product will result from the industry's new selling system featured the second day's sessions of Allied of New Jersey's convention here today.

Abram Myers

Cole reassured exhibitors on the availability of product at equitable prices under the blocks-of-five system.

He said better product is bound to result because the inclusion of poor pictures in a block either will lower

(*Continued on page 8*)

Gets Writ Against RKO on KAO Plan

Russell M. Van Kirk, New York broker, yesterday obtained a temporary injunction in the Superior Court of Wilmington, Del., against RKO, returnable Aug. 2, restraining the company from proceeding with the plan for the Keith-Albee - Orpheum refunding. The company will fight the injunction, which is described as being directed against the company rather than against the refunding plan itself.

The special meeting of K-A-O stockholders yesterday was adjourned until June 24, owing to the fact that the final contract drafts on the refunding had not yet been completed. Malcolm Kingsberg, vice-chairman of the company board, presided, in the absence of George J. Schaefer, president.

Newspapers Aid Phila. Exhibitors' Drive for Business

PHILADELPHIA, June 12.—Local newspapers are aiding exhibitors in fighting the box-office slump. Lest the theatres cut their newspaper advertising budgets for the Summer months, the promotion departments of the newspapers are taking an active part in the move to bolster receipts.

The *Evening Bulletin* this week started a series of institutional house ads, spotted throughout the newspaper to focus additional attention on the amusement pages. Employing a timely vacation theme, the ads ask "Ever Try a Movie Vacation?"

"The cost is counted in pennies, not dollars," the copy reads. It's apt to take you to the farthest corners of the earth. It's bound to show you unusual scenes and interesting people. And you can have it not far away from your own home—at the movies.

"You'll find that short vacations at the movies will rest and relax you in mind and body . . . and tide you and

(*Continued on page 8*)

300 Expected Here At RKO Convention

More than 300 delegates will attend the 10th annual RKO sales convention, opening Monday at the Waldorf-Astoria Hotel. The meeting will run four days. All exchanges in the United States and Canada will be represented, as well as the foreign department, RKO Theatres, the studio, Walt Disney, March of Time, Samuel Goldwyn and Pathe News.

Ned E. Depinet, vice-president, will

(*Continued on page 8*)

Theatres Have Dual Duty, Says Costello

Los Angeles, June 12.—Congressman John Costello of Los Angeles today told the MPTOA: "Motion picture exhibitors have a double duty at the present time—to help build morale and to collect additional taxes for national defense." He also remarked that some groups are "too ready to look to Washington for a solution of all their ills" and sometimes find "not a remedy but a gradual infiltration of government regulations."

MPTOA Hits Previews by Lay Critics

LOS ANGELES, June 12.—Showing of films to columnists, commentators and other lay press critics in advance of release to the trade press was condemned as "unfair and inimical to the best interests of the producers and exhibitors" by resolution adopted at the final session of the MPTOA convention here today.

Double bills and the showing of Axis films in the United States were

(*Continued on Page 4*)

PCCITO calls for Government opinion on circuit expansion and adopts other resolutions. See Page 4 for details.

RMA Indicates Little New Television Set Production

CHICAGO, June 12.—Very little interest is being shown in the immediate production of television receivers and Frequency Modulation sets by members of the Radio Manufacturers Association in convention here at the Stevens Hotel.

The reason, as given by Bond Geddes, executive vice-president of the RMA, is that the manufacturers are not tooling up on new products with a material shortage and scarcity of machine tools facing them due to Governmental needs. "Metal and tube material shortages caused by the de-

(*Continued on page 8*)

Report Carnegie to Get RCA Television

Reports yesterday were that RCA is interested in the television installation planned at the Little Carnegie Playhouse here. Jack Davis has taken over the house on a lease, it is understood, and plans to reopen it in September as a newsreel-television theatre, showing British newsreel and documentay films as well. Davis is from London, where his company opates newsreel houses, at two of which television programs have been shown on Scophony equipment.

Report W B Dickering for ABP Circuit

English Group Includes 400 Theatres

By AUBREY FLANAGAN

LONDON, June 12.—Warners are negotiating here for the control of the Associated British theatre circuit, it is understood on good authority.

Consummation of such a deal would give control of 400 theatres, the largest British circuit, to American interests. It is understood Max Milder, head of Warner interests in England, has been bidding for the purchase of the shares of the late John Maxwell, Associated British chief, which carry control.

It is the belief that Warners would use frozen money here for the most part in such a purchase, but possibly also use some American dollars. The purchase would give Warners a wide theatre outlet for their product.

Milder opened negotiations with Mrs. Maxwell some time ago and

(*Continued on page 8*)

Arbitrator Upheld By Appeals Board

The national Arbitration Appeals Board yesterday, in its first decision since the setting up of the film arbitration system under the consent decree, affirmed the decision of the arbitrator in the Ken Theatre case in Chicago.

The appeals board sustained the arbitrator's decision, which dismissed the complaint for lack of jurisdiction. No hearing was held by the board.

The case was that of Landis Brothers' Ken Theatre on clearance and run against Paramount, RKO and 20th Century-Fox. H. Schoenstadt &

(*Continued on Page 4*)

Browne, Bioff Trial Set for August 18

George Browne and William Bioff must stand trial August 18 in Federal Court here on charges of extorting $550,000 from four major film companies. This was ordered yesterday by Judge John C. Knox who at the same time warned Bioff against attempts to intimidate witnesses. Such an attempt will bring about revocation of Bioff's $50,000 bail and his

(*Continued on Page 4*)

Ads, Reviews Draw Majority of Patrons

Newspaper ads and reviews are the two greatest factors in attracting patrons to theatres, according to a poll conducted among patrons over the weekend by Warners at the Strand on Broadway.

Approximately 2,300 were questioned in the theatre lobby. Results showed 67 per cent read the ads, 41 per cent read newspaper reviews, 19 per cent were regular patrons who saw the advance trailers, and 11 per cent were attracted by the theatre's street display. Despite strong radio exploitation, few patrons credited attendance to that.

Grosses Over 1940, Survey Indicates

Operating records of distributors and exhibitors indicate an upturn in grosses for the first six months of 1941, compared to the same period last year, despite general reports that receipts are down considerably, according to *Motion Picture Herald*. Both attendance and gross are indicated as better than last year.

The calculations for 1940 deliberately excluded "Gone With the Wind" from the totals, in order to provide a more normal basis for determining the comparative results.

It is indicated that lower average prices per admission have been charged during the first week in June. It is also pointed out that the Easter recovery from the annual Holy Week decline was less this year than usual, due to the late Easter running into weather conditions adverse to theatre attendance.

Para. News Shows Strike Situation

The current issue of Paramount News released yesterday contains a six-minute summary of the strike situation in defense industries around the country. Highlighting the sequence are shots taken at the North American Aviation plant at Inglewood, Cal.

The pickets are shown parading and being addressed by Elmer Freitag, local union leader, and Richard Frankensteen, representing the CIO parent union. This is followed by Stephen Early, presidential secretary, making the announcement that the Army has taken over the plant, local police with tear gas clearing the grounds of the pickets, the arrival of troops, arrest of pickets and the return of workers to the plant. Other shots show the lumber strikes in the Pacific Northwest, the Cleveland aluminum strike, the San Francisco shipyard strike, and some pictures of the "strike-proof" Army men.

The entrance of troops at the Inglewood plant was greeted with applause at the Rockefeller Center Newsreel Theatre where the reel was previewed last night.

Wobber to Toronto

Herman Wobber, general manager of distribution for 20th Century-Fox, and William C. Gehring, Central division manager, leave by plane tonight for Toronto.

Personal Mention

JAMES R. GRAINGER, president of Republic, returns tomorrow by plane from Chicago.

•

REGINALD ARMOUR, J. R. McDONOUGH, PERRY LIEBER and HERBERT WILCOX left Hollywood yesterday to attend the RKO convention.

•

ANDREW SUBBIONDO of the accounting department at Republic's home office and MILDRED LOUISE VIOLANTE, former Republic employe, are to be married Sunday at St. Joseph's Church, Astoria, L. I.

•

VICTOR ANDERSON of the 20th Century-Fox Des Moines exchange, has left for California to study aviation.

•

HARRY SILVER, co-manager of the Northio Palace, Hamilton, O., is vacationing in Canada.

•

RICHARD JAMESON of RKO's Seattle exchange and LUCILLE PARTRIDGE will be married tomorrow. MARY TAYLOR of the same exchange will marry HAROLD WHATMORE on the day.

HOWARD DIETZ is due in Washington today from the Coast.

•

MILDRED WECHSLER, secretary to JOHN MURPHY of Loew's, will be married Sunday to SAMUEL MILLER of the Loew's statistical department. They will leave for a honeymoon in the Adirondacks after the ceremony.

•

RUTH MACKIN, daughter of CHARLES MACKIN, manager of the Forum Theatre, Philadelphia, was married this week to FRANK LAMANIA, JR.

•

W. W. SIMONS, Altec service engineer, has left for Minneapolis to attend a reunion at the University of Minnesota.

•

BUDDY MEYERS, Producers Releasing Corp. manager in Seattle, will be inducted into the Army next month.

•

EDWARD C. MAY, Schine manager in Maysville, Ky., has been visiting in Rochester for several days.

B'way Gross Fair As 3-Week Runs End

Broadway grosses held up fairly well this week, despite the fact that three houses were playing the final week of three-week runs on big pictures.

"Blood and Sand" in its third and final week at the Roxy with a stage show brought about $24,600. The film played an extra day yesterday and will be replaced today by "Man Hunt."

"Penny Serenade," with a stage show, accounted for an estimated $69,000 in its third week at the Radio City Music Hall and was succeeded yesterday by "Sunny."

"Broadway Limited" opens at the Globe tomorrow, following "Devil Dogs of the Air," which finishes its second week tonight with about $5,500 expected.

Ampa's Committee Chairmen Named

Chairmen of Ampa committees were announced yesterday by Vincent Trotta, president, at the organization's final meeting of the season at the Hotel Edison.

They are: Maurice Bergman, advertising; Jules Ziegler, arrangements; Hap Hadley, attendance; Charles F. Stark, auditing; Joel Swensen, constitution and by-laws; Joseph Zimanich, entertainment; David A. Lipton, publicity, and Eileen St. John Brennon, reception.

Second Camp Roadshow

The second mobile unit of the U. S. Motor Camp Shows sponsored by the Citizens Committee for the Army and Navy which is sending out seven such units started a series of one-night stands yesterday at Army camps in the metropolitan area. The program was presented yesterday at Fort Hancock, at Sandy Hook.

Metro Buys Story

A. J. Liebling's story, "Jollity House," has been bought for production by M-G-M.

Runyon's B'way Pals To See 'Tight Shoes'

Broadway friends of Damon Runyon, including Broadway Rose, Harry the Horse, Big Dutch, Swifty Morgan, Izzy the Painter, Paddock Charlie and their pals, have been invited to a midnight preview on Monday of Mayfair Productions' "Tight Shoes," from a Runyon story, at Loew's Ziegfeld. Universal is releasing the film.

Runyon also has invited the personnel of Traffic Squad D, Mounted Squad No. 1 and Patrol Squad No. 18 of the New York Police Department, on the theory that they always attend premieres, but not to enjoy themselves. The formal premiere of the film will be held at the Rialto on Wednesday evening.

CEA Reappoints 3 To Picture Council

LONDON, June 12.—The Cinematograph Exhibitors Association will reappoint to the Films Council for the next three years Charles P. Metcalfe, Arthur W. Jarratt and Alex. B. King. Harry P. E. Mears, Thomas France and Randolph Richards, representing the South of England, have been nominated for Board of Trade consideration.

The CEA will ask the Board of Trade to issue special coupons to theatres for staff uniforms in view of the new clothing rationing plan. Exhibitors have agreed to aid the Ministry of Information's campaign appealing to the public to carry gas masks.

Para. Pre-Releasing 'Kiss'

Paramount will pre-release "Kiss the Boys Goodby" at the Earle, Washington, July 4, and at the Colonial, Richmond, Va., and the Majestic, San Antonio, July 11, with other July pre-release dates to be set, Charles Reagan, assistant sales manager, announced yesterday. National release is scheduled in mid-August.

Newsreel Parade

LABOR strikes and military subjects form a large portion of the new issues, the contents of which follow:

MOVIETONE NEWS, No. 80—West Point graduations. British student pilots in Dallas. Acrobats perform in Palisades Park, N. J. "Smile Girl" chosen in [illegible]souri. Troops in land operations at [illegible] Cod. Artillery practice at Fort Story, Va. Billy Conn trains at Pompton Lake, N. Y. Diving exhibition in Los Angeles. Rodeo in California. Outboard race in Florida.

NEWS OF THE DAY, 278—R.A.F. cadets train in Dallas. Graduations at West Point. Big guns fired at Fort Story, Va. Norma Shearer in Montreal benefit. Twin colts born. Billy Conn prepares for Lewis bout. Rodeo in California. Diving in Los Angeles.

PARAMOUNT NEWS, No. 83—French Cabinet in session; food shortage, homecoming of released prisoners in Marseille. Resume of aircraft dispute in Inglewood; Coast shipyard strike; Washington lumbermen strike; Aluminum strike in Cleveland.

RKO PATHE NEWS, No. 83—Army ends Inglewood strike. R.A.F. cadets training in Dallas. Three *Zamzam* survivors return to New York. Fort Story, Va., guns in action. Ickes on oil deficiency. Maneuvers at Cape Cod. "Information Please" intellects play tennis at Forest Hills.

UNIVERSAL NEWSREEL, No. 988—Inglewood aircraft strikers return to work. British fliers train in Dallas. Graduations at West Point. Ickes tells of "gasless Sundays" in Washington. *Zamzam* survivors arrive here. Cape Cod army maneuvers. Stevens Institute, Hoboken, holds commencement exercises. New life-saving device demonstrated in New York. Beach styles in New Rochelle. Billy Conn trains for title bout. Outboard daredevils in Florida.

Petrillo Reelected President of AFM

SEATTLE, June 12.—James Caesar Petrillo today was unanimously reelected president of the American Federation of Musicians at the annual convention here.

Also unanimously reelected were C. L. Bagley, vice-president; Fred Birnbach, national secretary, and Harry Brenton, financial secretary-treasurer. The salaries of Birnbach and Brenton were increased from $10,000 to $15,000 a year.

Petrillo in his acceptance speech said his reelection was a vindication of his conduct of AFM national policies, and promised further aggressive action in organizing all musicians.

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'OUT OF THE FOG'

into the money!

DA LUPINO · JOHN GARFIELD
in *'OUT OF THE FOG'* with
THOMAS MITCHELL · EDDIE ALBERT
GEORGE TOBIAS
Directed by ANATOLE LITVAK
creen Play by Robert Rossen, Jerry Wald and Richard Macaulay
From the Play 'The Gentle People' by Irwin Shaw
A Warner Bros.-First National Picture

THIS WEEK—FROM WARNERS!

PCCITO to Seek Opinion On Expansion

LOS ANGELES, June 12.—The U. S. Department of Justice will be asked to clarify the provision in the New York case consent decree covering acquisition of theatres by affiliated circuits, the Pacific Coast Conference of Independent Theatre Owners decided today by resolution adopted at the closing session of their four-day convention.

The resolution condemned expansion of circuits bound to the decree and pledged the PCCITO members to gather information about such reported acquisitions as a basis for the planned representations to the Department of Justice.

It was also was decided that any complaints by members that the distributors are forcing shorts, newsreels and trailers will be forwarded to the Department of Justice, these complaints to be made with the local organization secretaries who will send them to the general counsel.

Another resolution condemned the alleged practice of affiliated theatres of dualling two percentage films or a percentage picturee with a top flat rental film, and discrimination against independent houses which cannot resort to the practice. The same selling terms for independents as circuits was asked.

Other resolutions adopted provided:

Reassertion of dissatisfaction with the consent decree and reaffirmation of the PCCITO's original 11-point program which figured in the late fair trade practice code negotiations.

Approval of action of those producers and distributors fighting double bills and condemnation of the Skouras Bros. for continuing their policy of dual showings, with L. O. Lukan and Robert H. Poole authorized to obtain immediately answers from company heads on their respective stands on dual features.

Consideration by the trustees of a system of classification of pictures as to box-office possibilities and other information, the exact form of which was not determined, but nevertheless a system of grading for guidance of exhibitors in making deals.

All exhibitor members shall consult secretaries of their respective organizations on any arbitration complaint before action is taken, the secretaries to advise on relative merits and suggest procedure.

Naming a committee to approach distributors about unhealthy print conditions on the Coast and eliminating "tagging" of prints.

Appointment of a committee to take up the question of circuits' special juvenile admissions, some of which have extended reportedly to half fare for college students.

The following were named chairmen of committees: junior admissions, Robert White: double bills, L. O. Lukan; arbitration and clearance, Jack Y. Berman; general box-office, Hugh Bruen.

MPTOA Resolution Hits Previews by Lay Critics

(*Continued from page* 1)

condemned. The convention went on record as holding that the affiliated theatres should take the lead in abolishing double features and the organization pledged itself to do its utmost to eliminate the practice in the next six months.

The reports of Max A. Cohen, president of Allied Theatre Owners of New York, on the banning of Axis films from this country and on theatre television were read to the convention. These communications were detailed in yesterday's MOTION PICTURE DAILY. Cohen is chairman of the MPTOA television committee.

Keough on Decree Selling

Blocks-of-five selling will cost distributors, exhibitors and the industry as a whole much more than former selling methods, declared Austin C. Keough, Paramount vice-president and general counsel, climaxing a discussion of the history of the fair trade practice code and the Department of Commerce survey which recommended blocks-of-five and individual picture selling and trade showings, leading up to the consent decree. The decree was accepted by distributors, he declared, as the only alternative to lengthy and costly litigation in the Government suit.

He advocated keeping of industry troubles inside the business and not, as had been suggested by previous speakers, "running to the Department of Justice and the arbitration procedure with reports of every possible violation." Instead, he advocated conciliation and intra-industry attempts to settle disputes.

"This decree or any other decree or regulatory process will accomplish small good if any, unless the bitterness, strife and distrust that permeate exhibitor-distributor relationships are eliminated," Herman M. Levy, executive secretary, Connecticut MPTO, told the delegates.

He said: "Those abuses that distributors are responsible for, to wit, 'playing favorites,' permitting overbuying, setting up unfair standards of clearance and runs, and others, they must be eliminated, decree or not decree."

Warns on 'Defeatist Attitude'

Exhibitors were warned against adopting a "defeatist attitude concerning the blocks-of-five and trade showing provisions" by Levy, who said distributor reports of increased costs and "aggravation and grief" under the decree system were "propaganda." He also declared distributors should not be allowed to "sell you one block and a different, better block to somebody else," and suggested exhibitors refuse to buy a second block if there had been "juggling" of the first group.

J. Noble Braden, executive secretary of the American Arbitration Association, explained in detail the machinery of arbitration under the consent decree. "Costs of arbitration are fairly within control of parties," he said, pointing out average costs to exhibitors of cases decided to date has been $39.04.

"The arbitration system provided for in the consent decree gives you an opportunity for exercise of self-discipline and establishment of unity," he declared.

Braden ended: "You have a most important share in responsibility for success of the consent decree. For the first time in anti-trust litigation, an industry has been given a judicial system of its own—an opportunity for self-regulation. Cooperation and unity will make it succeed."

Defense Program Endorsed

Resolutions also endorsed the industry's defense program, calling on all exhibitors to cooperate, and attacked the practice of playing unsuitable films with those which would attract children.

A committee was appointed to investigate radio and non-theatrical competition.

Among today's speakers were Lewen Pizor, Charles Arrington, H. V. Harvey, Sidney B. Lust, Fred Wehrenberg, O. C. Lam, Joseph H. Brennan, James C. Shanklin, George P. Aarons, Roy L. Walker, R. X. Williams, Jr., and Robert H. Poole.

Hopper Defends Columnists

Hedda Hopper, film columnist, criticized the position that advance reviews should not be published, and said: "I don't think honest criticism has ever hurt anyone. Columnists are trying to do an honest job. They don't want to hurt you; they want to help you."

John H. Harris, national Chief Barker of the Variety Clubs; H. M. Richey, M-G-M exhibitor relations official, and Gene Autry were among those introduced to the delegates.

Jack Levin of the Copyright Protection Bureau, and officials of the MPTOA, including Morris Loewenstein, J. M. Hone, Ed Fay, A. Julian Brylawski and Arthur H. Lockwood, also took a bow.

Selznick, Wanger Will Meet Coast Exhibitors on Duals Elimination

Los Angeles, June 12.—David O. Selznick and Walter Wanger were the first producers to reply to the PCCITO telegram to producers, distributors and circuit exhibitors asking for a meeting on the elimination of double bills. Both commended the stand and agreed to discuss the matter.

PCCITO trustees will meet tomorrow on this and other matters. Telegrams on the duals problem were sent also to Samuel Goldwyn, Leonard Goldenson and Sam Dembow of Paramount Theatres; Al Lichtman, M-G-M; Harry Warner, and Charles and Spyros Skouras.

MPTOA Convention Largest in History

Los Angeles, June 12.—Ed. Kuykendall, MPTOA president, said today the present convention is the largest in the organization's history, with a majority of theatres of the country represented and delegates present from every state.

Arbitrator Upheld By Appeals Board In First Decision

(*Continued from page* 1)

Sons, operator of the Shakespeare and Pix theatres in Chicago, was intervenor. Hearing on the complaint was held at the local board in Chicago on March 20, with the dismissal decision handed down by Charles P. Megan, arbitrator, on March 28.

Megan held that the specific run sought by the Ken cannot be given under the decree until after Sept. 1 and that clearance was not involved in the complaint. The plaintiff appealed and briefs were filed early last month. An oral hearing was requested, but the board decided it was unnecessary. The appeal board consists of Van Vechten Veeder, chairman; Albert W. Putnam and George W. Alger.

This was the case in which the Department of Justice filed a brief with the appeals board, as permitted under the decree, setting forth its view that an arbitrator has the right to eliminate clearance if they are non-competitive.

Philadelphia Case Delayed to June 23

PHILADELPHIA, June 12.—The clearance complaint of Samuel and Morris Romerson, operators of the local Palm Theatre, originally scheduled to be heard June 16, has been postponed to June 23. The case, the fifth locally, was delayed at the request of one of the attorneys involved.

Browne, Bioff Trial Set for August 18

(*Continued from page* 1)

incarceration, the court told Bioff.

Bioff pleaded not guilty and addressed the press before the hearing in a courtroom interview on Coast labor conditions.

All the Coast unions, Bioff stated, were "infested with Communists." He revealed that 18 Communists had been expelled from the unions during the past year and so partially cleaned up.

In the interest of national defense, Bioff stated it would be the policy of the film unions to resort to mediation rather than strikes.

About 40 witnesses, many from the Coast, it was indicated in court, are expected to be called by the defense. The four major companies involved in the case are 20th Century-Fox, Paramount, Warner Bros. and Loew's.

Henry Uterhart and Michael Luddy are Bioff's counsel. Luddy is from California.

Motions directed against the indictment will be heard by Judge Knox on June 23. Bioff leaves for the Coast tonight.

'Wings' Tally In Chicago Is High $46,000

CHICAGO, June 12. — "I Wanted Wings" drew $46,000 at the Chicago Theatre. "Blood and Sand" at the Roosevelt also scored well, with [illegible]00.

Estitmated receipts for the week ending June 5:

"Fantasia" (Disney)
APOLLO—(1,400) (50c-75c-$1.10-$1.65) 3 days. Gross: $3,500.

"I Wanted Wings" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage: variety bill. Gross: $46,000. (Average, $32,000)

"Penny Serenade" (Col.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $5,500. (Average, $5,000)

"Lady Eve" (Para.)
"Topper Returns" (U. A.)
ORIENTAL — (3,200) (25c-40c) 7 days. Gross: $8,700. (Average, $9,000)

"Sunny" (RKO)
"Scattergood Pulls the Strings" (RKO)
PALACE—(2,500) (30c-40c-60c) 7 days. Gross: $12,500. (Average, $13,000)

"Blood and Sand" (20th-Fox)
ROOSEVELT — (1,500) (35c-55c-75c) 7 days. Gross: $14,000. Average, $11,000)

"Free and Easy" (M-G-M)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Willie Shore. Gross: $16,500. (Average, $15,000)

"A Woman's Face" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 7 days, 2nd week. Gross: $11,800. (Average, $14,000)

"Citizen Kane" (RKO)
WOODS—(1,100) (75c-$1.10-$1.65) 7 days, 4th week. Gross: $7,800.

'Navy' Scores Big $9,000, New Haven

NEW HAVEN, June 12. — Rain on Sunday, cool weather and strong attractions combined to show the best week's business in months. "In the Navy" and "Mr. Dynamite" at the Roger Sherman took $9,000. "I Wanted Wings," dualled with "Meet the Chump," at the Paramount, drew $7,500.

Estimated receipts for the week ending June 4:

"Rage in Heaven" (M-G-M)
"People vs. Dr. Kildare" (M-G-M)
COLLEGE — (1,499) (39c-50c) 7 days. Gross: $3,800. (Average, $2,700)

"Blood and Sand" (20th-Fox)
"Naval Academy" (Col.)
LOEW-POLI — (3,040) (39c-50c) 7 days. Gross: $8,500. (Average, $8,000)

"I Wanted Wings" (Para.)
"Meet the Chump" (Univ.)
PARAMOUNT — (2,348) (39c-50c) 7 days. Gross: $7,500. (Average, $4,500)

"In the Navy" (Univ.)
"Mr. Dynamite" (Univ.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $9,000. (Average, $5,000)

Games Measure Is Approved in Conn.

HARTFORD, Conn., June 12. — The Connecticut legislature has passed the measure to permit the playing of chance games without annual renewal of local option approval in towns where it already has been played for two successive years.

Exhibitors of the state were opposed to the games legislation, which permits "charitable" organizations to operate games, and which are a serious factor of competition for the theatres.

Metro Signs Robinson

HOLLYWOOD, June 12.—M-G-M has signed Edward G. Robinson as the star of "The New York Story," with Edward Arnold, to be directed by Mervyn LeRoy and produced by Sam Marx. The story deals with a New York tabloid publisher.

Studios Preparing Films On Defense, War Abroad

Hollywood, June 12

VARIOUS studios last week prepared new pictures dealing with national defense preparations, or the war abroad, or cast featured players in those already announced. DAVID HEMPSTEAD, producer, and LEWIS MILESTONE, director, are assembling newsreel shots of GEN. CHARLES DE GAULLE, Free French leader, for inclusion in their RKO picture, "Joan of Paris," in which MICHELE MORGAN will be starred. LUCILLE BALL was set by the same studio for the starring role of "Passage to Bordeaux," which deals with a group of Americans caught in France at the time of the Nazi invasion. ROBERT STEVENSON will direct.

DON CASTLE will be featured with RICHARD ARLEN in "Torpedo Boat," to be produced for Paramount by WILLIAM C. THOMAS and WILLIAM H. PINE. Paramount also announced that STIRLING HAYDEN will have a stellar role in "Tommorrow's Admirals," Navy spectacle, and that it would produce a film, "Shutterbugs," dealing with the aerial photographic unit of the U. S. Air Corps.

A. A. MILNE'S "Dover Road," long owned by RKO, has been placed back on the production schedule and JOHN HUMPHRIES and ARDEL WRAY have been assigned to do the script.

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George Murphy gets a top spot in "Panama Hattie" opposite Ann Sothern at M-G-M. . . . Alberto Vila, South American star, will be given a buildup and the starring role in a musical, "The Gentleman from Buenos Aires," at Paramount. . . . Raymond Hatton has been signed by Monogram to join Buck Jones and Tim McCoy in the eight westerns they will star in for the company.

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DICKSON HARWIN, English producer, has been assigned to produce Monogram's "The Deadly Game," based on the F. B. I.'s cipher bureau. BARNEY SARECKY, recently at Universal, will be his associate. . . . RKO has given LEE BONNELL, one of the "Gateway to Hollywood" contest winners, an extension of his contract. . . . JOHN HUBBARD draws a feature role in Columbia's "You'll Never Get Rich." . . . JOSEPH CALLEIA has been signed by WALTER WANGER for "Sundown." . . . Following an illness of several weeks, BETTE DAVIS has returned to work in Samuel Goldwyn's "The Little Foxes." . . . RED SKELTON has been assigned a role in the eighth Dr. Kildare vehicle, which is as yet untitled.

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IDA LUPINO will be starred in "The Hard Way," original by JERRY WALD, at Warners. . . . JANE WYATT will play opposite DENNIS O'KEEFE in RKO's "Week End for Three," which TAY GARNETT will produce and IRVING REIS direct. . . . NIGEL BRUCE joins the cast of M-G-M's "The Chocolate Soldier". . . . Paramount has purchased "Of Fire by Night," THELMA STRABEL'S magazine serial of forest fire fighters, to be included, with other material, in "The Forest Rangers," which will be made in Technicolor.

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James Tinling will direct "Riders of the Purple Sage," first of a series of several westerns in which 20th Century-Fox will star George Montgomery. . . . M-G-M has extended the contract of Maureen O'Sullivan. . . . Title of the sixth Bob Steele western for Producers Releasing will be "Billy the Kid in Santa Fe," which Sherman Scott will direct. . . . Warners has set Peter Lorre, Jerome Cowan and Barton MacLane for "The Maltese Falcon;" Maria Ouspenskaya and James Stephenson to "Kings Row;" Gene Lockhart to "They Died With Their Boots On."

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RKO Theatres has booked Monogram's "Roar of the Press" for its Metropolitan New York circuit, according to SAMUEL BROIDY, Monogram general sales manager. . . . Paramount has assigned FRANK TUTTLE to direct "This Gun for Hire," a story of an actress, a munitions king and a murderer. . . . J. FARRELL MACDONALD and ANNA Q. NILSSON get roles in HARRY SHERMAN'S "Timber Wolves," 39th Hopalong Cassidy western. . . . RUTH GORDON, stage star, will support Greta Garbo in her as yet untitled vehicle at M-G-M. . . . M-G-M has given MARY MCCALL, JR., writer, a new contract.

'Blood and Sand' $11,300 in Toronto

TORONTO, June 12. — "Blood and Sand" at the Uptown took $11,300. "Buck Privates" registered $8,600 for its ninth week at Shea's, with still another new second feature.

Estimated receipts for the week ending June 7:

"Million Dollar Baby" (W.B.)
IMPERIAL — (3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $7,800. (Average, $9,000)

"Topper Returns" (U.A.)
"The Bad Man" (M-G-M)
LOEW'S — (2,074) (18c-30c-42c-60c-78c) 6 days. Gross: $7,300. (Average, $9,000)

"Buck Privates" (Univ.)
"Reaching for the Sun" (Para.)
SHEA'S—(2,663) (18c-30c-48c-60c) 6 days, 9th week. Gross: $8,600. (Average, $7,500)

"That Night in Rio" (20th-Fox)
"Golden Hoofs" (20th-Fox)
TIVOLI — (1,434) (12c-30c-48c) 6 days. Gross: $3,000. (Average, $3,900)

"Blood and Sand" (20th-Fox)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days. Gross: $11,300. (Average, $9,000)

'Rookies' and Lewis $12,000, Kansas City

KANSAS CITY, June 12. — With "Rookies on Parade" on the screen and Ted Lewis and his band on the stage, the Tower drew a strong $12,000.

Estimated receipts for the week ending June 5:

"Blood and Sand" (20th-Fox)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $3,200. (Average, $2,200)

"Love Crazy" (M-G-M)
"The Lone Wolf Takes a Chance" (Col.)
MIDLAND—(3,600) (28c-44c) 7 days. Gross: $11,000. (Average, $9,500)

"Million Dollar Baby" (W.B.)
NEWMAN—(1,900) (28c-44c) 7 days. Gross: $7,000. (Average, $7,000)

"Rookies on Parade" (Rep.)
TOWER—(2,200) (30c-40c-50c) 7 days. Ted Lewis and his orchestra on the stage. Gross: $12,000. (Average, $6,000)

"Blood and Sand" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $4,300. (Average, $3,000)

'Love Crazy' Hits $17,000, Philadelphia

PHILADELPHIA, June 12.—Memorial Day cut heavily into grosses, but inclement weather on succeeding days helped. The Stanley registered $17,000 for "Love Crazy." "Singapore Woman" at the Earle, aided by vaudeville, accounted for $18,500.

Estimated receipts for the week ending June 4-6:

"Broadway Limited" (U. A.)
ALDINE — (1,400) (35c-41c-46c-57c-68) 7 days. Gross: $5,500. (Average, $9,000)

"The Flame of New Orleans" (Univ.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $2,800. (Average, $2,600)

"Penny Serenade" (Col.)
BOYD — (2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $12,500. (Average, $13,000)

"Singapore Woman" (W. B.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Ciro Rimac's orchestra, Diosa Costello, Bea Wain, Romo Vincent, Alizira Camargo and The Three Trojans. Gross: $18,500. (Average, $14,000)

"I Wanted Wings" (Para.)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $13,000. (Average, $13,000)

"Her First Beau" (Col.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days. Gross: $2,500. (Average, $3,000)

"Meet John Doe" (W. B.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,500. (Average, $4,500)

"Love Crazy" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $17,000. (Average, $14,000)

"They Dare Not Love" (Col.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,000. (Average, $4,500)

'Navy' Draws High $12,500, St. Louis

ST. LOUIS, June 12.—"In the Navy" and a Major Bowes unit at the Fox drew $12,500. "Blood and Sand" took $12,500 at the Ambassador. Cool weather helped.

Estimated receipts for week ending June 4:

"Blood and Sand" (20th-Fox)
"The Cowboy and the Blond" (20th-Fox)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $12,500. (Average, $11,500)

"In the Navy" (Univ.)
FOX—(5,038) (20c-30c-40c) 7 days. Maj. Bowes' 1941 Prize Winners on stage. Gross: $12,500. (Average, $11,000)

"Round-Up" (Para.)
"Las Vegas Night" (Para.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $2,100. (Average, $2,600)

"She Knew All the Answers" (Col.)
"Reaching for the Sun" (Para.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,500. (Average, $4,000)

"Love Crazy" (M-G-M)
"Rage in Heaven" (M-G-M)
LOEW'S—(3,162) (28c-39c-44c-56c) 7 days, 2nd week. Gross: $9,500. (Average, $13,000)

'Wings' at $6,200 But Omaha Slumps

OMAHA, June 12.—All first run houses slumped. "I Wanted Wings" got $6,200 at the Omaha. The weather was warm and wet.

Estimated receipts for the week ending June 5-6:

"She Knew All the Answers" (Col.)
"They Dare Not Love" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,100. (Average, $4,000)

"I Wanted Wings" (Para.)
"A Shot in the Dark" (W. B.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $6,200. (Average, $6,000)

"Blood and Sand" (20th-Fox)
"Murder Among Friends" (20th-Fox)
ORPHEUM — (3,000) (30c-44c) 7 days. Gross: $6,400. (Average, $7,200)

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
May 16	She Knew All the Answers (C) 2008 *Joan Bennett*	I'll Wait for You (D) 135 *Marsha Hunt* *Robt. Sterling*	There's Magic in Music (M) 4021 *Allan Jones* *Susan Foster*	The Gay Vagabond (C) 022 *Roscoe Karns*		Cowboy and the Blonde (O) 141 *Mary B. Hughes* *G. Montgomery*	Adventures of Tom Sawyer (D) Prisoner of Zenda (D) (Re-issues)		Singapore Woman (D) 563 *Brenda Marshall* *David Bruce*	King of the Zombies (Mono.) Lone Rider in Ghost Town 165 (PRC)
May 23	Naval Academy (D) 2020 *F. Bartholomew*	Love Crazy (C) 134 *Myrna Loy* *Wm. Powell*	Pirates on Horseback (O) 4054 *Boyd-Hayden*	Desert Bandit (O) 077 *Don Barry* *Lynn Merrick*	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) 142 *John Beal*		Too Many Blondes (M) 5034 *Rudy Vallee*	The Nurse's Secret (D) 523 *Lee Patrick* *Regis Toomey*	The Redhead (Mono.) Emergency Landing 109 (PRC)
May 30	Adventure in Washington (D) 2010 *Herbert Marshall*	Billy the Kid (O) 137 *Robert Taylor* *Mary Howard*	I Wanted Wings (D) 4028 *Ray Milland* *Holden-Morris*	Saddlemates (O) 067 *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* The Saint's Vacation (D)	Blood and Sand (D) 143 *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) *Priscilla Lane* *Jeffrey Lynn*	Silver Stallion (Mono.) Paper Bullets 125 (PRC)
June 6		Mata Hari (D) (Reissue) *Greta Garbo* *L. Barrymore*		Angels With Broken Wings (D) 016 *Binnie Barnes*	Cyclone on Horseback (O) 185 *Tim Holt*	For Beauty's Sake (C) 144 *Ned Sparks* *Marjorie Weaver*		Men of the Timberlands (D) 5055 *Arlen-Devine*	Devil Dogs of the Air (D) 550 (Re-issue) Shining Victory (D)	Wranglers' Roost (Mono.) Texas Marshal 156 (PRC)
June 13	Richest Man in Town (C) *Roger Pryor* *Eileen O'Hearn*	The Get-Away (D) 138 *Robt. Sterling* *C. Winniger*	One Night in Lisbon (D) 1287 *F. MacMurray*		Bring 'Em Back Alive 131 *Frank Buck*	Bride Wore Crutches (C) 112 *Lynne Roberts*	Broadway Limited (C) *Vic. McLaglen* *M. Woodworth*	Tight Shoes (D) *Binnie Barnes* *Brod. Crawford*	Out of the Fog (D) *John Garfield* *Ida Lupino*	The Gang's All Here (Mono.) Criminals Within 111 (PRC)
June 20	Time Out for Rhythm (M) Hands Across the Rockies (O) 2215	The Big Store (C) 139 *Marx Bros.*	West Point Widow (D) 4030 *Anne Shirley*	Nevada City (O) 057 *Roy Rogers* *Gabby Hayes*	They Meet Again (D) 134 *Jean Hersholt* *Dorothy Lovett*	Man Hunt (D) 146 *Walter Pidgeon* *Joan Bennett*		Law of the Range (O) San Antonio Rose (O)	Passage from Hong Kong (D) *Keith Douglas*	
June 27	Sweetheart of the Campus (M) Medico of Painted Springs (O) 2206	They Met in Bombay (D) 140 *Clark Gable* *Rosalind Russell*	Parson of Panamint (D) *Charles Ruggles* *Ellen Drew*	Puddin' Head (C) 003 Kansas Cyclone (O) 078	The Reluctant Dragon (Disney) 191	A Very Young Lady (D) 145 *Jane Withers* *Nancy Kelly*		Hit the Road (D) *Dead End Kids* *Tough Guys*	Underground (D) *Jeffrey Lynn* *Mona Maris*	Wanderers of the West (Mono.) Double Cross 112 (PRC)
July 4	I Was a Prisoner on Devil's Island (D) 2008	Barnacle Bill (D) *Wallace Beery* *Virginia Weidler*	Caught in the Draft (C) *Bob Hope* *Dorothy Lamour*	Gangs of Sonora (O) 068 *3 Mesquiteers*		Moon Over Miami (M) 147 *Don Ameche* *Betty Grable*		Bachelor Daddy (C) *Baby Sandy* *E. E. Horton*	Kisses for Breakfast (C) *Dennis Morgan* *Jane Wyatt*	Murder by Invitation (Mono.) Gambling Daughters 114 (PRC)
July 11	Two in a Taxi (D) *Anita Louise* *Russell Hayden*	Ringside Maisie (C) *Ann Sothern* *George Murphy*				Accent on Love (D) 148 *Cobina Wright* *G. Montgomery*		Hello Sucker (C) *Hugh Herbert* *Tom Brown*	Manpower (D) *Raft-Robinson* *Marlene Dietrich*	Billy the Kid in Santa Fe 162 (PRC) *Tim McCoy*
July 18	Blondie in Society (C) *Singleton-Lake* *Larry Simms*		Shepherd of the Hills (D) *John Wayne* *Betty Field*	Sunset in Wyoming (O) *Gene Autry* *Smiley Burnette*		Dance Hall (D) 149 *Cesar Romero* *Carole Landis*		Raiders of the Desert (D) 5056 *Arlen-Devine*	Bullets for O'Hara (D) *Joan Perry* *Roger Pryor*	City Limits *Frank Albertson* Arizona Bound (Mono.)
July 25	Officer and the Lady (D) *Rochelle Hudson* *Roger Pryor*		Forced Landing (D) *Richard Arlen* *Eva Gabor*					This Girl Is Mine (D) *Franchot Tone* *Carol Bruce*	Bad Men of Missouri (O) *Dennis Morgan* *Wayne Morris*	Rough Riders (Mono.) Desperate Cargo D 113 (PRC)
Aug. 1			Kiss the Boys Goodbye (M) *Mary Martin* *Don Ameche*					Cracked Nuts (C) *Stuart Erwin* *Una Merkel*		Bowery Blitzkrieg Deadly Game Fugitive Valley (Mono.)

Sparkling on your Program...
PARAMOUNT SHORTS!

June 6
Paramount Headliner
Your Favorite Program
'THOSE WE LOVE'

June 13
Popeye the Sailor
'OLIVE'S BOITHDAY PRESINK'

June 20
Gabby Color Cartoon
'FIRE CHEESE'
(Technicolor)

June 20
Grantland Rice Sportlight
'LASSO WIZARDS'

100%
BOX OFFICE TESTED!

'Hamilton' Is Seattle Lead With $7,600

SEATTLE, June 12.—"That Hamilton Woman" drew $7,600 at the Liberty. "Love Crazy" at the Fifth Avenue took a strong $9,100 with the Memorial Day holiday aiding grosses.

Estimated receipts for the week ending June 6:

"Fantasia" (Disney)
BLUE MOUSE—(950) (58c-75c-$1.15-$1.50) 7 days. Twice daily. Gross: $5,200. (Average, at regular prices, $4,000)

"Love Crazy" (M-G-M)
"The Cowboy and the Blonde" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross, $9,100. (Average, $7,000)

"That Hamilton Woman" (U.A.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days. Gross: $7,600. (Average, $5,000)

"Pot O' Gold" (U. A.)
"Scotland Yard" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $3,700. (Average, $4,000)

"In the Navy" (Univ.)
"Ride on Vaquero" (20th-Fox)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $6,600. (Average, $6,000)

"The Singing Hill" (Repub.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. "Midnight in Miami" revue on stage. Gross: $4,900. (Average, $5,000)

"The Great American Broadcast" (20th-Fox)
"Rage in Heaven" (M-G-M)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days, 2nd week. Gross: $5,600. (Average, $6.000)

'Blood and Sand' $11,000, Cincinnati

CINCINNATI, June 12.—"Blood and Sand" grossed $11,000 at the RKO Palace. "Love Crazy" had a good $5,300 second week at Keith's. The weather was cool with occasional rain.

Estimated receipts for the week ending June 4-7:

"I Wanted Wings" (Para.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $11,500. (Average, $12,000)

"Blood and Sand" (20th-Fox)
RKO PALACE — (2,700) (33c-40c-50c) 7 days. Gross: $11,000. (Average, $10,000)

"A Woman's Face" (M-G-M)
RKO CAPITOL — (2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $3,300. (Average, $5,000)

"Reaching for the Sun" (Para.)
RKO GRAND — (1,500) (33c-40c-50c) 7 days. Gross: $2,400. (Average, $5,000)

"Ziegfeld Girl" (M-G-M)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 4th week. Gross: $3,200. (Average, $4,500)

"The Round Up" (Para.)
"Rookies on Parade" (Rep.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,200. (Average, $1,200)

"The Great Swindle" (Col.)
"Scotland Yard" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)

"Love Crazy" (M-G-M)
KEITH'S — (1,500) (33c-40c-50c) 7 days, 2nd week. Gross: $5,300. (Average, $5,000)

Youngman Held No RKO Stock May 1

WASHINGTON, June 12.—Reports by the Securities and Exchange Commission on the holdings of persons becoming officers of registered corporations shows that Gordon E. Youngman held no interest in Radio-Keith-Orpheum when he became an officer May 1.

A report on CBS showed the disposition of 1,100 shares of Class A common by Samuel Paley, reducing his holdings to 9,100 shares; and the disposition by H. Bayard Swope of 700 shares of Class A held direct and 100 shares held through the Keewaydin Corp., reducing his holdings to 400 shares held direct and 4,000 held through the corporation.

Showmanship Flashes

Col. Ties 'Answers' To National Campaigns

Through a tie-up by the Columbia exploitation department with Nehi Corp., the Joan Bennett picture, "She Knew All the Answers," is sharing in Nehi's national billboard campaign and being featured as a part of the company's advertising in 700 newspapers. Mention of the picture also will be made on the Royal Crown Cola radio programs carried by 317 stations.

Identifying "John Doe" Stunt in Pittsburgh

PITTSBURGH, *June 12.—A stranger wandering around downtown streets, a handkerchief initialed "J. D." in his pocket, was the object of search by pedestrians in a stunt for promoting the opening of "Meet John Doe" at Loew's Penn. Joseph Feldman and Martin Burnett set a tieup with the* Sun-Telegraph. *Anyone identifying the man was eligible for a prize.*

Guessing Length of Run Stunt for 'In the Navy'

WILKES-BARRE, Pa., June 12.—The *Times-Leader* here, evening newspaper, ran a contest asking its readers to guess the number of days the Universal film, "In the Navy" would run at the Penn Theatre.

Contests Used to Plug 'Wings' Albany Run

ALBANY, June 12.—Spotting contest exploitation in conjunction with The Albany *Times-Union* and U. S. Army recruiting office, Jules Curley, manager of the Strand here, drew plenty of pictures and publicity in conjunction with "I Wanted Wings." The paper conducted a contest for men desiring to qualify for Air Corps enlistments.

Invites ex-Navy Men To See "In the Navy"

Sheboygan, Wis., June 12.—Marlowe Conner, manager of Warners' Sheboygan Theatre, exploited "In the Navy" by inviting all ex-service men of the U. S. Navy to be his guests on the opening night of the film. All regular Coast Guardsmen and Sea Scouts in uniform were also admitted free.

Cinderella Contest Is Used for 'Miss Jones'

ROCHESTER, June 12.—Jay Golden, manager of the Palace here, arranged a Cinderella contest for "The Devil and Miss Jones," held on the stage of the theatre. He tied in with a local store for a film quiz and window displays.

Providence Lead To 'Navy,' $13,500

PROVIDENCE, June 12.—Aided by the holiday weekend, product of improved quality and a run of weather generally unfavorable to outdoor activities, grosses moved upward here. Leader was the Majestic's bill, "In the Navy" and "Scotland Yard," which was good for $13,500.

Estimated receipts for the week ending June 4-5:

"Love Crazy" (M-G-M)
"The People vs. Dr. Kildare" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,800. (Average, $11,000)

"In the Navy" (Univ.)
"Scotland Yard" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $13,500. (Average, $7,000)

"I Wanted Wings" (Para.)
STRAND — (2,200) (28c-39c-50c) 7 days. Gross: $10,500. (Average, $6,000)

"King of the Zombies" (Mono.)
METROPOLITAN — (3,045) (28c-39c-55c-75c) 3 days. Stage show with Adrian Rollini Trio; Mabel Todd; Morey Amsterdam; Buck and Bubbles; Sammy White; Lester Cole's Debutantes; Chester Fredericks and Gloria Lane; the Seven Freddyson; and Ed Drew's Orchestra. Gross: $4,800. (Average, $4,700)

"Horror Island" (Univ.)
"Law and Order" (Univ.)
FAY'S—(1,800) (15c-25c-35c) 7 days. Gross: $2,500. (Average, $2,800)

"A Woman's Face" (M-G-M)
"I'll Wait for You" (M-G-M)
CARLTON—(1,526) (28c-39c-50c) 7 days, 2nd week. Gross: $3,700. (Average, $3,500)

"Men of Boys Town" (M-G-M) (3 days)
"Melody for Three" (RKO) (3 days)
"Penny Serenade" (Col.) (4 days)
"Pot O' Gold" (U.A.) (4 days)
EMPIRE — (2,200) (20c-28c) 2nd run. Gross: $1,800. (Average, $1,700)

Delay Phila. Tourney

PHILADELPHIA, June 12.—The annual Variety Club-Exhibitor golf tourney, scheduled for June 18 at the Philmont Country Club, has been postponed until Sept. 19. The Ladies' Auxiliary of the Club will buy an ambulance equipped station wagon for transporting the crippled children of the Wills-Martin Orthopedic Hospital to school.

Baltimore Strong; 'Love' at $16,000

BALTIMORE, June 12.—The week's business was off to a substantial start with largest Memorial Day crowds in several years. "Love Crazy" drew $16,000 at the Century. "Sunny" with the Baer-Louis fight films and a stage show took $17,000 at the Hipodrome. "Love Crazy" drew $16,000 at the Century.

Estimated receipts for the week ending June 5:

"Love Crazy" (M-G-M)
CENTURY — (3,000) (28c-44c) 7 days. Gross: $16,000. (Average, $10,000)

"I Wanted Wings" (Para.)
KEITH'S (2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $9,000. (Average, $9,000)

"Blood and Sand" (20th-Fox)
NEW — (1,581) (15c-28c-35c-55c) 7 days. Gross: $10,500. (Average $7,000)

"Sunny" (RKO)
HIPPODROME—(2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage show featuring Jimmy Wallington, Powers Singing Models, Tom Howard and George Shelton; also Baer-Louis Fight Films. Gross: $17,000. (Average, $14,000)

"Meet John Doe" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days, 3rd week. Gross: $8,000. (Average, $14,000)

Para. Stockholders' Suit Is Dismissed

Stockholders' suit of Frank Jablow and Sam Acker against Paramount, 30 officers and directors of the company, Paramount Theatres Service Corp., A. T. & T., Erpi and Western Electric was dismissed yesterday by Federal Judge John C. Knox for failure to prosecute.

Plaintiffs had charged the defendants with causing the loss of more than $46,000,000 through alleged waste, mismanagement and excessive salaries and costs. Erpi, A. T. & T. and Western Electric were charged with obtaining control of Paramount's equipment business through an alleged conspiracy.

'Baby' Capital Winner with $18,600 Gross

WASHINGTON, June 12. — "Million Dollar Baby," with a stage show, at Warners' Earle drew $18,600. Loew's Capitol, with "The Great American Broadcast," also in conjunction with a vaudeville bill, grossed $17,500.

Estimated receipts for the week ending June 4-8:

"That Hamilton Woman" (U. A.)
LOEW'S PALACE—(2,300) (39c-55c) 7 days, 2nd week. Gross: $13,500. (Average, $12,000)

"The Great American Broadcast" (20th-Fox)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Frank Libuse, Chandra Kaly Dancers, Rhythm Rockets. Gross: $17,500. (Average, $15,500)

"Million Dollar Baby" (W. B.)
WARNERS' EARLE—(2,200) (28c-39c-55c-66c-77c) 7 days. On stage: Golden Gate Quartet, Lynn Royce & Vanya, Goodrich & Nelson, Siggy Lane, Roxyettes. Gross: $18,600. (Average, $15,000)

"Devil Dogs of the Air" (W. B.)
WARNER'S METROPOLITAN—(1,600) (28c-44c) 7 days. Gross: $6,900. (Average, $4,000)

"Fantasia" (Disney)
NATIONAL—(1,693) (55c-75c-$1.10-$1.65) 7 days, 4th week. Gross: $10,000.

"Citizen Kane" (RKO)
RKO KEITH'S—(1,834) (75c-$1.10-$1.65) 7 days, 3rd week. Gross: $7,000.

"Road to Zanzibar" (Parà.)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, return engagement. Gross: $7,500. (Average, $4,000)

'Baby' and Show at $18,500, Pittsburgh

PITTSBURGH, June 12.—"Million Dollar Baby" with Victor McLaglen and Simone Simon on the stage led the field with $18,500 at the Stanley. "I Wanted Wings" took $12,500 at Loew's Penn.

Estimated receipts for the week ending June 5:

"Horror Island" (Univ.)
"Man Made Monster" (Univ.)
FULTON—(1,700) (28c-44c) 7 days. Gross: $3,200. (Average, $4,500)

"I Wanted Wings" (Para.)
LOEW'S PENN — (3,400) 28c-39c-55c) 7 days. Gross: $12,500. (Average, $13,000)

"Power Dive" (Para.)
"Washington Melodrama" (M-G-M)
RITZ — (800) (28c-44c) 7 days. Gross: $3,400. (Average, $4,000)

"They Dare Not Love" (Col.)
"The Cowboy and the Blonde" (20th-Fox)
SENATOR—(1,800) (28c-44c) days. Gross: $1,800. (Average, 7 days, $5,000)

"Penny Serenade" (Col.)
SENATOR—(1,800) (28c-39c-55c) 5 days, 3rd week. Gross: $3,500. (Average, 7 days, $5,000)

"Million Dollar Baby" (W.B.)
STANLEY — (3,600) (28c-44c-66c) On stage: Victor McLaglen, Simone Simon, Lorraine & Rogna, Wesson Bros., Stuart Morgan Dancers, Max Adkins orchestra. 7 days. Gross: $18,500. (Average, $18,000)

"Love Crazy" (M-G-M)
WARNER—(2,000) (28c-39c-55c) 7 days, 2nd week. Gross: $5,500. (Average, $5,000)

Admit Service Men Free

PHILADELPHIA, June 12. — Robin Hood Dell, scene of outdoor Summer symphonic and popular concerts, announced that uniformed men and women in the country's armed forces will be admitted free of charge on Monday and Friday evenings during the Summer.

Phila. Outing June 19

PHILADELPHIA, June 12. — Vine Street, local film exchange center, will hold its annual outing and clambake on June 19 at Schwenksville, Pa., on which day an unofficial holiday is called along the street.

Allied Calls All-Industry Conference

(*Continued from page* 1)

the price obtainable for the entire block or for subsequent blocks.

He reminded the convention that there will be the same playing time for the same number of films that there has been in the past.

Cole discussed the new M-G-M sales policy as outlined by William F. Rodgers, general sales manager, at the MPTOA convention in Los Angeles, and said that he approved of it if the percentages determined upon are fair and if the company does not demand too much preferred playing time.

H. A. Cole

Myers called for an all-industry conference to examine the motion picture's "most difficult problems at its most serious hour" in the interest of industrial unity.

Asserting that the industry is faced with declining theatre attendance, loss of public confidence and an untried method of conducting its business with "the greatest lack of internal unity in its history," Myers advanced a five-point plan with which to meet what he termed "the dark days ahead."

The plan calls for: Regional and national exhibitor cooperation; stimulation of showmanship efforts; economies in operation, including the effort to eliminate double features as a "waste"; cultivation of public good-will, and industrial unity to find "a common answer to common problems."

Cole and Sidney Samuelson outlined an Allied plan for providing an advisory service on trade showings of new films for exhibitors in localities far removed from exchange centers. The service will be conducted under the direction of the Allied Information Department by cooperation of its regional units on a national scale. Details of the plan are to be worked out here by a committee headed by Samuelson.

Cole and Pete Wood, secretary of the I.T.O. of Ohio, rebuked the New Jersey unit for failing to take action on the business recession.

Mutual Affiliates Unit Is Dissolved

Washington, June 12.—Dissolution of Independent Mutual Affiliates, an organization formed during the National Association of Broadcasters' convention in St. Louis last month by Mutual station affiliates opposed to the network's signing an Ascap contract, was announced today by Mutual.

RKO Convention Opens Here Monday with 300 Delegates

(*Continued from page* 1)

preside at the meeting, and A. A. Schubart, manager of exchange operations, will call the roll at the opening session.

Depinet has tendered an invitation to Herman Robbins, president of National Screen Service, for the staff of the latter company, holding a sales convention next week, to be guests of RKO on Tuesday. They will attend a screening in the morning, a luncheon, and the afternoon session, when the new product will be announced. They also will attend the annual convention cocktail party given by March of Time at the Park Lane Hotel Tuesday evening.

The following will attend:

Albany: Max Westebbe, branch manager; G. F. Tucker, L. A. Herman, salesmen.

Atlanta: H. M. Lyons, branch manager; F. W. Smalley, P. Harrison, R. C. Price, J. Campbell, salesmen; I. P. Stone, office manager.

Boston: R. C. Cropper, branch manager; W. H. Gardiner, H. F. Goldstsein, F. G. Ross, C. L. Devizia, M. M. Ames, salesmen; J. A. Downing, office manager.

Buffalo: Elmer Lux, branch manager; J. G. Chinell, N. L. Sper, E. J. Smith, salesmen.

Charlotte: J. B. Brecheen, branch manager; R. F. Branon, R. S. Mitchell, F. E. Dyer, salesmen.

Chicago: J. C. Osserman, branch manager; S. Gorelick, H. H. Walders, M. J. Kassel, J. Cozzi, J. J. Clarke, S. Borde, salesmen; R. A. O'Brien, office manager.

Cincinnati: S. C. Jacques, branch manager; A. L. Sugarman, J. A. McKnight, A. L. Kolitz, R. Williams, salesmen; G. J. Boudot, office manager.

Cleveland: B. G. Kranze, branch manager; A. Goldsmith, Harry LaVine, S. E. Feld, salesmen.

Dallas: S. M. Sachs, branch manager; W. V. Adwell, V. H. Adams, C. J. Wheeler, C. B. Wilson, salesmen; D. Desch, office manager.

Denver: B. J. McCarthy, branch manager; F. J. Lee, E. L. Sanders, F. Lind, salesmen.

Des Moines: Lou Elman, branch manager; W. F. DeFrenne, M. L. Godwin, E. E. Gruenberg, salesmen.

Detroit: J. F. Sharkey, branch manager; M. E. Cohen, D. J. McCarthy, E. Lebby, salesmen.

Indianapolis: F. L. Brentlinger, E. J. Hancock, P. J. Fortune, salesmen.

Kansas City: T. R. Thompson, branch manager; E. L. Dyson, J. Lewis, A. A. Renfro, K. G. Howe, salesmen.

Los Angeles: H. C. Cohen, branch manager; S. W. Whitehead, J. Rubenstein, J. F. Samuels, L. Fink, J. P. Smith, salesmen.

Memphis: A. M. Avery, branch manager; R. V. Reagin, W. G. Wray, salesmen.

Milwaukee: A. N. Schmitz, branch manager; M. Anderson, E. Spiers, William Foley, R. G. Saeger, salesmen.

Minneapolis: C. J. Dressell, branch manager; W. C. Winters, J. E. Loeffler, R. F. Egner, Fred Horn, C. H. Noodelman, salesmen; A. F. Stern, office manager.

New Haven: Barney Pitkin, branch manager; W. Canelli, salesman.

New Orleans: P. M. Baker, branch manager; R. E. Pfeiffer, N. J. Colquhoun, salesmen.

New York: R. S. Wolff, branch manager; Phil Hodes, E. T. Carroll, J. J. Dacey, J. Ellis, L. I. Kutinsky, H. Zeitels, salesmen; F. L. Drumm, office manager.

Oklahoma City: R. B. Williams, branch manager; P. D. Fielding, C. A. Blakeley, salesmen.

Omaha: C. W. Allen, branch manager; N. Neilsen, W. G. Carmichael, E. Pickler, salesmen.

Philadelphia: Charles Zagrans, branch manager; S. Lefko, M. Shulman, J. J. McFadden, E. J. Epstein, O. Tischler, J. Engel, salesmen; V. A. O'Donnell, office manager.

Pittsburgh: H. H. Greenblatt, branch manager; D. C. Silverman, R. H. Lange, M. E. Lefko, I. T. Sweeney, salesmen; C. Peppercorn, office manager.

Portland: M. E. Cory, branch manager; G. M. Engelman, S. S. McFadden, salesmen.

St. Louis: R. V. Nolan, branch manager; M. A. Raymon, T. B. Williamson, H. Arends, salesmen.

Salt Lake City: L. S. Gruenberg, branch manager; G. Davidson, A. T. Mabey, A. K. Shepherd, salesmen.

San Francisco: N. P. Jacobs, branch manager; G. R. Search, E. A. Stein, C. J. Crowley, salesmen.

Seattle: E. A. Lamb, branch manager; J. F. Burk, L. L. Goldsmith, salesmen.

Sioux Falls: S. W. Fitch, branch manager; E. J. Frace, C. H. Snyder, salesmen.

Washington: R. J. Folliard, branch manager; H. E. Kahn, E. W. Grover, O. Knox, A. P. Folliard, salesmen; J. Hilderbrand, office manager.

Toronto: Mark Plottel, branch manager; M. L. Devaney, salesman.

Montreal: H. F. Taylor, branch manager; H. B. Miller, H. Decker, salesmen.

St. John: Leslie Plottel, branch manager.

Winnipeg: Harry Woolfe, branch manager; H. Nachimson, salesman.

Calgary: Joseph McPherson, branch manager; R. Doddridge, salesman.

Vaucouver: W. S. Jones, branch manager.

Division Manager: Leo Devaney, Canada.

District Managers: David Prince, Southeastern; Gus Schaefer, Northeastern; Walter Branson, Midwestern; Charles Boasberg, Eastern Central; H. C. Fuller, Rocky Mountain; J. H. MacIntyre, Western; L. E. Goldhammer, Prairie; Nat Levy, Eastern.

Home Office Representatives: J. de Waal, Minneapolis; E. Sedin, Kansas City; J. Wangberg, Atlanta; J. E. Cashman, New Haven; W. A. Burke, Salt Lake City; A. F. Braeunig, Cincinnati; J. J. Schmitzer, Albany; D. Nolan, F. Alford, Atlanta.

Studio: Joseph I. Breen, general manager in charge of the studio; Reginald Armour, executive assistant to President George Schaefer; J. R. McDonough, vice-president; Perry Lieber, studio publicity director.

Home Office (Alphabetically arranged): Leon J. Bamberger, sales promotion manager; William H. Clark, treasurer; Ned E. Depinet, vice-president; William E. Dahler, assistant to eastern sales manager; Walter V. Derham, comptroller; John A. Farmer, executive: Lou E. Gaudreau, purchasing agent; Harry Gittleson, promotion; Ben Grimm, advertising department; William H. Horne, circuit contact; Ken Hallam, radio contact; Harold Hendee, director of research; Sid Kramer, manager print and negative department; Phil Keir, contract department; Sam Kelly, playdate department; Jack Level, publicity; Jack Lewis, publicity; S. Barret McCormick, director of advertising and publicity; William J. McShea, assistant manager of exchange operations; Harry I. Michalson, short subjects sales manager.

Lou H. Miller, assistant to western sales manager; Edward J. McGuire, legal department; Clarence McGeary, playdate department; Frank Mooney, contract department; George Muchnic, assistant secretary and assistant treasurer; Robert Mochrie, eastern division sales manager; Rutgers Neilson, publicity manager; Michael G. Poller, head of playdate department; Richard C. Patterson, chairman of the board, RKO; Peter Rathvon, director, RKO; George J. Schaefer, president; Fred Schaefer, pressbook department; A. A. Schubart, manager of exchange operations; A. W. Smith, Jr., sales manager; Cresson E. Smith, western division sales manager; E. I. Smith, Jr., contract department; Stanley Shufford, advertising department; David L. Strumpf, art director; Terry Turner, head of field staff; Russell Trado, secretary in publicity department; Garret Van Wagner, assistant to president; Herb Wappaus, playdate department; Arthur Willi, eastern talent scout; Lewis Wolfe, short subject department; Gordon E. Youngman, vice-president and general counsel; William Zimmerman, legal department.

Foreign Department: Phil Reisman, vice-president; B. D. Lion, foreign division manager; R. K. Hawkinson, foreign division manager; V. Lissim, foreign division manager; Harry Ehrreich, service department manager; Michael Hoffay, publicity department.

Field Men: Harry Reiners, Boston; Ted Wynn, Buffalo; Al Selig, Philadelphia; Don Prince, Atlanta; Fred Ford, Memphis; Bud Grey, Dallas; Bob Hickey, Chicago; Frank Cronin, St. Louis; William Scholl, Cleveland; Eddie Rivers, Cincinnati; George Gomperts, New York; Charles Huy, Los Angeles; Doc Howe, New York; George Degnon, Toronto.

Theatre Department: Charles Koerner, Max Fellerman, Leon Goldberg, Malcolm Kingsberg, Senator J. Henry Walters, Harry Mandel, Major L. E. Thompson, Louis Goldberg, C. B. McDonald, S. A. Schwartz, H. R. Emde, Matty Polen, J. Becker, M. Stein, Tom Gorman, Nat Holt, J. Brennan, H. McDonald, M. Singer, I. Libson.

RKO Pathe News: Frederic Ullman, Jr., vice-president; Walton C. Ament, editor.

March of Time: Louis de Rochemont, producer and publisher; John R. Wood, Jr., business manager; Albert E. Sindlinger, advertising and publicity director; Phil A. Williams, promotion and publicity department.

Samuel Goldwyn Productions: James A. Mulvey, vice-president; Lynn Farnol, eastern publicity representative; Burt Champion, publicity.

Walt Disney Productions: Studio—Roy O. Disney, Gunther R. Lessing. New York—Hal Horne, Richard Condon, Frank Waldheim, James Finey, Leo Samuels.

Kay Kamen: Chester Feitel.

Also, W. G. Van Schmus, Jack Pegler, G. E. Eyssell, Max M. Kravetz.

Phila. Papers Aiding Drive On Patronage

(*Continued from page* 1)

your family over until you can get away for your long vacation.

"Why not try a movie vacation to-day? On page 5 of today's *Bu*[illegible] you'll find the most convenient lis[illegible]g of the offerings of the neighborhood and downtown theatres."

Also designed to stimulate theatre attendance, the *Philadelphia Record* tied in its $12,500 Rebus Contest with the member theatres of Eastern Pennsylvania Allied. Arrangements were made with Sidney E. Samuelson, business manager here. Full-page house ads in the *Record* for this week indicate that the cooperating theatres will distribute to their patrons the first five weekly series of the Rebus Puzzles. Although the contest started May 12, theatre attendance this week enables the patron to get up to date in the contest. In addition to listing the theatres, the program of films for the week is given.

Report WB Dickers For British Circuit

(*Continued from page* 1)

three weeks ago it is understood the deal was considered off, chiefly because of price. Milder has indicated the deal is "cold" but admits it always is subject to further negotiation.

Milder is understood to be leaving by clipper for the United States next week, presumably for a discussion of the deal with Warner executives.

The most recent exchange agreement between England and the American companies permits the use of frozen funds for the acquisition of or investment in British theatres on approval of the Exchange Commission. It is expected that British exhibitors would register strong objection to such a deal.

Little Production Of Television Sets

(*Continued from page* 1)

fense program preclude any great development of television in the coming year," said Geddes, "and I see no enlargement of the frequency modulation situation due to transmitter needs, the building of which requires large quantities of steel, manganese, mica, aluminum and other metals sure to be on the priorities list."

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W. B. Will Sell Single Films in Larger Spots

Block Sales for Smaller Situations, Says Sears

Hollywood, June 15.—Warners will sell features singly in the large and more important situations but in blocks-of-five in the smaller situations, according to present plans for the 1941-'42 season starting Sept. 1, Gradwell L. Sears, vice-president and general sales manager of the company, revealed.

Sears, who has been here conferring on the new production plans, said: "There is no particular advantage in either method as I see it."

He pointed out, however, that it would be impractical to sell pictures

(Continued on Page 4)

No Ascap Plan to Raise Theatre Fee

Ascap licenses with theatres are on an automatically renewable basis and no thought has been given by the society to an increase in the rates, John G. Paine, Ascap general manager, said in commenting Saturday on the statement made to the MPTOA convention in Hollywood last week by A. Julian Brylawski of Washington that theatre licenses with Ascap will expire next Sept. 1.

Brylawski added that in view of the fact that Ascap has suffered a loss

(Continued on page 8)

Monogram Repays $300,000 Bank Loan

Monograms' only outstanding bank loan has now been repaid to the Guaranty Trust Co., W. Ray Johnston, Monogram president, said Saturday. The film company's annual report, to be issued June 30, will show no direct bank loans outstanding, accordingly, Johnston said. The loan originally amounted to $300,000.

The Monogram studio now has three pictures completed and being cut and seven ready to go into production prior to June 30. "Tower of Terror," starring Movita, which Monogram will release here in October, is now in production in England, Johnston said.

Warner Operating Profit in 26 Weeks Up to $2,782,544

Warners Brothers Pictures, Inc., and subsidiaries have reported for the 26 weeks ending March 1, 1941, net operating profit of $2,782,544, after deducting all charges including amortization and depreciation and normal Federal income taxes. The figure compares with net operating profit of $1,518,497 for the corresponding period the previous year.

During the 1941 period there was an additional provision for contingencies in the amount of $414,000, increasing the reserve in repect to net assets of subsidiaries operating in foreign territories to $750,000:

The net profit from operations before amortization depreciation and income taxes was $6,381,844. Gross income, after eliminating intercompany transactions, was $51,009,860. The comparable previous gross income was $50,728,842. Cash in this country on

(Continued on Page 4)

U. S. Cites 26 More Crescent Theatres

Nashville, June 15.—The Government has filed an additional bill of particulars in its anti-trust suit against Crescent Amusement Co., listing 26 additional theatres it alleges Crescent or affiliated exhibitors have taken over or kept closed during the past five years. The theatres named are in Tennessee, Alabama, Arkansas and Mississippi.

The Crescent trial is set for July

(Continued on Page 4)

Mrs. Fairbanks Asks Million for UA Stock

Mrs. Douglas Fairbanks, it is reported, is asking $1,000,000 for Fairbanks' United Artists' share. The company is said to have offered $400,000. Mrs. Fairbanks left for California Saturday with her attorney, Sol Rosenblatt of Rosenblatt & Jaffe, to institute suit to determine the value of her stock, these reports hold. Several former U. A. officers and present stockholders will be called as witnesses, it is asserted.

Agnew Will Reveal New Para. Product At Toronto Session

Toronto, June 15.—Neil F. Agnew, vice-president and general sales manager of Paramount, will reveal for the first time here tomorrow to Paramount home office and sales executives and the Canadian sales force, the product which Paramount has in store and is expected to release at the beginning of the new season.

Agnew went to California to learn first hand about the product situation so that the officials and salesmen would be armed with the fullest data before embarking on their new season sales drive in the Dominion.

This is the first all-Canada sales meeting to be held by Paramount. It

(Continued on page 6)

Allied Opposes Attempts to Increase Percentage Films

Atlantic City, June 15.—Allied will oppose an increase in percentage pictures in the new season, it was forecast over the weekend following a statement of Allied's Eastern regional directors on Friday that "the block of five is not a justifiable reason for an attempt to obtain an increased number of percentage pictures."

This statement, it was announced, was the directors' unanimous opinion.

The regional meeting, attended also by national officials, was held in conjunction with the annual convention of Allied Theatre Owners of New Jersey, which at its final session on Friday unanimously elected Harry H. Lowenstein of Newark as president, succeeding Lee Newbury.

David Mate of Little Falls was

(Continued on Page 4)

Kelly Urges Better Terms for Product

Atlantic City, June 15.—Producers are taking a "terrific gamble" this year by bringing out their best pictures under consent decree selling conditions, Arthur W. Kelly, acting chief executive of United Artists, told the Allied Theatre Owners of New Jersey convention here on Friday. Because of this, he said, they should be allowed terms dictated by the production expenditure.

He also said in his speech that "something has happened to the industry" in the last several months,

(Continued on Page 4)

New Program To Be Outlined At RKO Meet

Will Hear of Goldwyn's Films for First Time

Productions which will lead off RKO's new season offerings under the system of consent decree selling, among which is expected to be Samuel Goldwyn's first for the company, "The Little Foxes," will be divulged at the company's national sales convention which opens at the Waldorf-Astoria here today.

Samuel Goldwyn

The Goldwyn production, which will be among the company's early new season releases will be sold separately by RKO, rather than as part of a block of five films or less. The same will apply to his Gary

(Continued on page 7)

Report UA Owners Take Board Posts

In line with the stated intention of United Artists owners to devote themselves personally to the conduct of the company, their representatives on the board of directors have resigned, it is reported, and the owners, Mary Pickford, Charles Chaplin and Alexander Korda, have replaced them.

The resignations, which have been reported, include those of Herbert Maas, board representative for Miss Pickford; Charles Schwartz, board representative for Chaplin; Dennis F. O'Brien, board representative for the

(Continued on Page 4)

In Today's Issue

Reviews of "Nevada City," "The Texas Marshal" and key city grosses, Page 5. Reviews of "The Saint's Vacation," "The Get-Away" and short subject reviews, Page 6. N. L. Nathanson's position on CBC board questioned in Commons, Page 8.

Free Admissions for Trainees to Be Asked

Arrangements are being made to provide free admission to some of the Broadway shows for men in the services, John Golden, legitimate producer, told the City Committee on Defense Recreation at a meeting on Friday. Where this is not possible, said Golden, cut rates will be requested. The committee is developing a program of social and recreational activities for enlisted men stationed within 60 miles of the city.

FP Canadian Adds Six New Theatres

TORONTO, June 15.—President J. J. Fitzgibbons of Famous Players Canadian on Friday leased two Toronto theatres from Ray Lewis and T. M. Sterling and announced the purchase of the Stanley at Vancouver and a lease on the Hollywood in that city as well as a long-term lease on the Bijou and Rio in Winnipeg, a total of six houses.

One of the Toronto houses, the Pylon, will be operated by Bloom & Fine Theatres, Ltd., a subsidiary of Famous Players, while the Avenue will be operated by Famous Players in association with Lewis and Sterling.

The two Winnipeg theatres will be added to Western Theatres, Ltd., which is FPC's Manitoba subsidiary.

Korda Is Due Today With Morris Helprin

Alexander Korda is expected to arrive here from the Coast today, accompanied by Morris Helprin, public relations counsel. Korda, it is reported, is coming to New York for conferences with his eastern staff and United Artists sales officials regarding his forthcoming picture. Helprin is bringing back with him the advertising campaign on "Lydia," with Merle Oberon, which he took to the Coast to show Korda, and it is expected that a campaign on the film will get under way almost immediately.

Barney Rose Named 'U' Chicago Manager

CHICAGO, June 15.—Barney Rose, manager of Universal's San Francisco office, has been appointed branch manager here, succeeding M. M. Gottlieb who recently became Chicago district manager on the appointment of E. T. (Peck) Gomersall as Western sales manager. The appointment is effective as soon as his successor will be named. He has been with Universal since 1923.

Tex Ritter a Groom

Tex Ritter was married at Prescott, Ariz., on Saturday to Dorothy Fay Southworth, who, as Dorothy Fay, was his leading lady in four of his recent Western pictures.

'Parallel' Now 'Five Men'

The title of "49th Parallel," British film recently acquired by Columbia, has been changed to "Five Men."

Personal Mention

LEONARD GOLDENSON, Paramount theatre head, and SAM DEMBOW, home office theatre executive, returned from the Coast on Saturday.

•

MYRON GROSS, M-G-M booker in in Buffalo, has a birthday today.

•

E. F. LOMBA, 20th Century-Fox foreign representative, sailed on the *Santa Paula* Friday for Colombia to survey film conditions for W. J. HUTCHINSON, foreign chief.

•

ROBERT BLAIR, who resigned as manager of the Saenger Theatre, New Orleans, has left to make his home in California.

•

MORRIS FINKEL, Pittsburgh exhibitor, is recovering from an appendicitis operation at St. Francis Hospital there.

•

WILLIAM JAFFE of Rosenblatt & Jaffe has returned from the Coast.

•

JACK FLYNN, M-G-M district manager in Chicago, and MRS. FLYNN will celebrate their 25th wedding anniversary Friday.

•

PHILIP ENGEL of the Warner exchange here and MRS. ENGEL are the parents of a girl, HARRIET JUNE, born Thursday at Doctors Hospital, Brooklyn.

•

RAY SCHREIBER of the 20th Century-Fox home office accounting department and MARY ANN MERICHKO are to be married on Saturday.

•

WILLIAM F. RODGERS, M-G-M general sales manager, is scheduled to arrive from the Coast today.

Graham Is Here on Visit from England

John Cecil Graham, former managing director for Paramount in Great Britain, has arrived from London for a visit of several months on personal business.

Graham resigned his Paramount post two years ago but remained in London. He plans to leave for the Midwest in about a week and then will go to the Coast, returning to London thereafter.

Graham, who also headed Paramount theatre interests in Britain, said he sees little possibility of that country permitting control of large circuits to pass into foreign hands. Minority interests probably could be acquired by American companies with blocked sterling but the Government, he believes, will insist upon control remaining in Britain. One of the reasons he gave for his belief was that cooperation with the Government on the exhibition of propaganda films is essential in war times and this might be interfered with should control of large circuits pass to foreign interests.

Provincial theatre business in England now is at an all-time high, he reported.

Disney Prods. Defer July Stock Dividend

HOLLYWOOD, June 15.—Walt Disney Productions' directors have announced deferment of the quarterly preferred stock dividend due July 1. "The omission is made necessary," the announcement said, "by reduced income as a result of the spread of the European war and its repercussions and the company's working capital requirements for producing and carrying future pictures for release in the most advantageous manner in the market now available."

David Rose Is Due From London Soon

David Rose, Paramount managing director for Great Britain, has left London for Lisbon and will come to New York by clipper as soon as accommodations are available. On his arrival here, he will leave for the Coast to participate in the product conferences between home office and studio executives, scheduled to start next Monday.

Censor, Ascap Bills Are Killed in Illinois

SPRINGFIELD, Ill., June 15.—Two bills dealing with the film industry were killed by the Illinois House when 283 measures were tabled.

One of the measures would have created a commission to censor films exhibited in the state, and the other would have restricted operations of ASCAP in the state.

The wholesale slaughter of bills did not touch the Sandquist measure, which would limit film showings to 135 minutes unless there is a 15-minute intermission every hour. The measure has reached the passage stage and probably will be voted upon in the House during the week. Last week the House passed and sent to the Senate a bill to legalize bookmaking in the state in cities of over 10,000 population.

To Reelect Para. Board Tomorrow

Reelection of all Paramount directors is scheduled for tomorrow at the company's annual meeting of stockholders to be held at the home office at noon. The board is scheduled to meet shortly afterward to reelect the present slate of officers, headed by Barney Balaban, president.

Directors to be reelected are: Neil F. Agnew, Balaban, Stephen Callaghan, Y. Frank Freeman, Harvey D. Gibson, A. Conger Goodyear, Stanton Griffis, Duncan G. Harris, John D. Hertz, John W. Hicks, Austin C. Keough, Earl I. McClintock, Maurice Newton, E. V. Richards, Edwin L. Weisl and Adolph Zukor.

Wins U. A. Action

COLUMBUS, Ohio, June 15.—A jury in Common Pleas Court has awarded Ardmore Amusement Co., operators of the suburban Bexley, judgment for $25,275 in a three-year-old suit against United Artists charging contract violation.

Short Here for Meeting

Paul Short, Dallas division chief for National Screen Service, accompanied by branch and office managers and salesmen from his division, arrived last night to attend the company's sales convention opening here today.

Aluminum Giveaway Dropped in Newark

Newark, June 15.—Less aluminum and enamel ware will be given out at neighborhood houses in the future. Managers, cooperating in the Government drive, have all but stopped distributing hardware, substituting cosmetics and china.

Joseph Coughlin of Herald Dies at 30

Joseph F. Coughlin, 30, film critic and a member of the editorial staff of *Motion Picture Herald,* died Friday morning at St. Luke's Hospital here after a brief illness.

He leaves his mother, Mrs. Harriet Coughlin, and a brother, Frank. The funeral will be held this morning at 11 o'clock from his home at 247 Wadsworth Ave., followed by a solemn requiem Mass at St. Elizabeth's Church, 181st St. and Wadsworth Ave. Burial will be in Gate of Heaven Cemetery, Kensico, N. Y.

Coughlin was born in New York City and attended Regis High School and Fordham University where he received the degree of Bachelor of Arts in 1932 and Master of Arts in 1937. He was an honor graduate of both institutions. At the time of his death he was completing work for the degree of Doctor of Philosophy in the graduate school of Fordham University. Coughlin had been a member of the editorial staff of *Motion Picture Herald* since 1934.

Frank Schwalbe Dies

LA CROSSE, WIS., June 15.—Frank R. Schwalbe, 77, chairman of the board of directors of the La Crosse Theatre Co., is dead here. Schwalbe, who was one of the organizers of the company, operator of five local houses, is survived by his wife, two sons and two sisters.

Forster Rites Held

BUFFALO, June 15.—Funeral services were held here Friday for Richard Forster, 55, property man at Shea's Buffalo for 13 years, who died Tuesday after a short illness. His wife and two sisters survive.

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DAILY
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"CAUGHT IN THE DRAFT"

YEAR'S BIGGEST BOX OFFICE SMASH!

EVEN BIGGER THAN YOU HOPED!

Sensational Grosses First 3 Pre-Release Engagements

Boston, Metropolitan Theatre
1st week's business EXCEEDS "Love Thy Neighbor," which played Xmas and New Year's!

Johnstown, Embassy Theatre
EXCEEDS "Love Thy Neighbor," which opened New Year's Day... Equals "North West Mounted Police," at increased prices!

Asheville, N. C., Plaza Theatre
EXCEEDS "Love Thy Neighbor" and "North West Mounted Police," at advanced admissions!

National Release JULY 4

BOB HOPE

DOROTHY LAMOUR

"CAUGHT IN THE DRAFT"

A Paramount Picture with
Lynne Overman • Eddie Bracken
Produced by B. G. De Sylva • Directed by David Butler
Original Story and Screen Play by Harry Tugend

YOU CAN DEPEND ON PARAMOUNT TO GIVE YOU THE BIG ONES WHEN YOU NEED THEM MOST!

Kelly Urges Better Terms For Product

(Continued from page 1)

"and we have not known where we are headed for."

Kelly was the principal speaker of the convention's "Sales Managers' Day" and the only major company representative present.

The depression and the loss of foreign markets have made investments in the industry "dangerous," he asserted, and hardly a production company "can say that its investment is now secure."

"It may take a little time for us to fathom what can be done," he said by way of assurance, citing efforts to maintain a flow of money from abroad, because "in the instance of United Artists certainly it used to depend on the foreign markets to return a profit on a picture."

"It is difficult to obtain profits on a big picture from this country," he declared. "Something must be done somewhere along the line to keep us in business."

Exhibitors, in comparison with producers and distributors, are doing well, he asserted, and this has led to a greater dependence by exhibitors on the producers' and distributors brains and showmanship.

Too much attention may have been given in the past to "the buy" and not enough to showmanship, Kelly said, but this situation may be well changed because the consent decree eliminates preoccupation with buying and will enable the exhibitor to concentrate on selling the picture.

He noted United Artists' policy of independently produced films, and said that the company is endeavoring to improve and "modernize" its service, and in conjunction to use the exhibitors' aid in showmanship.

United Artists, to exist, however, must get "proper terms," Kelly declared. The Capra, Selznick and other such pictures are made as specialties and should receive that recognition from exhibitors, he urged, and asked their cooperation in solving United Artists' problems as a distributor of such films.

Lee Newbury, president of New Jersey Allied, called Kelly's address "constructive." The convention unanimously approved the suggestion that a formal letter of thanks be sent him.

Laws Is Arbitrator In Washington Case

WASHINGTON, June 15.—Justice Bolitha J. Laws of the U. S. District court for the District of Columbia has been designated arbitrator in the Lea cases, on which hearings are scheduled June 30.

The two actions will be heard separately. They were filed here May 21 by L. W. Lea, operator of the Lea and Schoolfield theatres, Danville, Va. Abram F. Myers, chairman and general counsel of Allied States, is counsel for the plaintiff in the cases, which involve clearance and run complaints against the five consenting companies. The Wilby-Kincey circuit and the S. W. Craver circuit are named.

Allied Opposes Attempts to Increase Percentage Films

(Continued from page 1)

elected secretary to succeed Lowenstein. The following were reelected: Maurice Miller, Passaic, vice-president for Northern New Jersey; Ralph Wilkins, Pitman, vice-president for Southern New Jersey; David Snaper, New Brunswick, treasurer; Louis Gold, Newark, and Harry Hecht, Passaic, directors.

The Eastern regional directors issued their statement on percentage films after an executive session during which the reported intentions of some distributors to have more pictures on percentage were thoroughly explored.

Newbury, presiding at a general session of the New Jersey unit, asked for "constructive discussion" of the subject, saying that fears of an increase in percentage selling were spreading among exhibitors. When, however, the chairman was informed that the regional directors had pondered the question and that it would be advisable to discuss it at an open meeting, he agreed.

The current business recession was treated only briefly during the session, after discussions of the subject on the previous two days. The members unanimously resolved that all branches of the industry unite to ascertain the causes of the slump which, the resolution said, was an actuality.

Telegrams were read from T. J. Connors, Eastern, Southern and Canadian sales manager for M-G-M; Robert Wolff, RKO New York district manager; H. M. Richey of M-G-M, and George W. Weeks.

The convention closed with a cocktail party followed by a banquet at the Ritz-Carlton Hotel honoring the retiring president. In addition to Newbury, those on the dais were Abram F. Myers, chairman and general counsel of national Allied; Col. H. A. Cole, national Allied president; Sidney Samuelson of Philadelphia; Frank Lydon and Arthur K. Howard of Independent Exhibitors, Inc., Boston; Harry Lowenstein, Louis Gold and Sam Frank.

Report Disney Will Make Films in B.A.

BUENOS AIRES, June 15.—Walt Disney is considering the production of certain of his cartoon subjects in this city, it is reported here. The nature of the transaction and the principals involved have not been revealed.

Warner Operating Profit in 26 Weeks Up to $2,782,544

(Continued from page 1)

March 1, last, was $10,932,279, compared with $7,445,285 on Aug. 31, 1940.

The earnings are equivalent to $27.93 per share on 99,617 shares of preferred stock outstanding and 70 cents a share on 3,701,090 common shares, after current preferred requirements. Preferred dividends in arrears as of March 1 amounted to $33.69 a share.

Eight Measures Are Killed in New Jersey

TRENTON, N. J., June 15.—Eight Assembly measures, opposed by New Jersey Allied, were blocked during the past fortnight by relegating them to the Miscellaneous Business Committee in the New Jersey legislature with the Republican majority of the House agreeing not to bring them to a vote this session.

The bills include a labor measure amending the minimum wage law; a strike measure dealing with pickets; an anti-Ascap bill; an amendment to the unemployment Compensation Law to enable a worker to collect unemployment compensation; a measure enabling indigent employes to obtain stenographic record without cost in Workmen's Compensation suits on appeal; and three related measures establishing a labor relations court to regulate issuance of injunctions by courts against picketing and wages and hours.

U. S. Cites 26 More Crescent Theatres

(Continued from page 1)

7. Assistant U. S. Attorney O. W. Hughes said that the Government has asked Federal Judge Elmer Davis for authority to subpoena about 70 persons residing more than 100 miles from Nashville to testify for the Government. Altogether there will be more than 100 witnesses for the Government, Hughes stated.

Interstate Executives Urge New Approach to Get 'Lost' Audience

The contention of Dr. George Gallup of last Fall that 32,000,000 persons who are able are not attending films, was refuted by R. J. O'Donnell, vice-president and general manager of the Interstate Circuit, and John Q. Adams, executive secretary, at the circuit's recent convention in Galveston.

The executives, however, indicated methods which they claim would help bring back some of the lost audience, since they agree that a certain portion of potential patronage is not now going to the theatre. The two stressed the unfairness of the questionnaire on which the Gallup results were based. A new approach is called for, O'Donnell and Adams contended. Three classifications were suggested: first, "make the theatre most attractive"; second, "direct approach and invitation," and third, "institutional presentations" which includes "public relations and a new advertising approach."

W. B. Will Sell Single Films in Larger Spots

(Continued from page 1)

one by one in small towns and subsequent runs, where selling in blocks is expected to prevail. The company plans to offer its product one picture at a time to the larger operators, as the pictures are available.

Sears let it be known that the date and place of the company's sales convention are virtually decided and probably will be announced this week in New York following his return East. He is due in New York tomorrow.

Report UA Owners Take Board Posts

(Continued from page 1)

late Douglas Fairbanks, and Steven Pallos; representative for Korda.

If current arrangements for the purchase of the Douglas Fairbanks' estate stock are consummated by United Artists, there will remain only three owners of the company and, therefore, there will be only three board members. However, David O. Selznick and Frank Capra would be added to the board in the event the negotiations for them to become owner-producers are successful. Capra was expected in New York over the weekend.

Coast advices are that Selznick is conditioning certain administrative safeguards in joining the company. Also, it is reported that he is considering making a conditional arrangement for ownership of stock depending upon such administrative alterations.

Under one of the proposals offered to Selznick, these same reports indicate, he would become U. A. chairman.

SPG Sends Answer To Publicist Critics

The Screen Publicists Guild of New York, at a membership meeting late last week, voted to send a reply to seven members of the Paramount publicity staff and three from M-G-M, who, in letters to Joseph Gould, president, had expressed objections to the guild's policies, in explanation of their refusal to join the guild.

The letter, as approved by the guild membership, signed by Jeff Livingston, secretary, said in part:

"Those who do enter the ranks of our membership automatically avail themselves of the power to influence any past, current or future issue before the guild, by free discussion and their right to vote.

"We, the members of the Screen Publicists Guild, are glad to reaffirm to all that our guild is operated on a strictly democratic basis. The floors of its meetings are open for discussion on any subject that any member thinks affects his welfare or that of his unit, that of the guild or of labor as a whole.

"The majority of the membership rules upon all questions of policy or action and governs by that decision.

"We firmly believe that the strength of our organization confirms our adherence to these democratic principles."

'Sunny' Gets $14,400; L.A. Grosses Slow

Los Angeles, June 15.—Grosses were generally slow here. "Sunny" and "Her First Beau" took a total [illegible] $14,400 at two houses, with $7,200 [illegible] the Hillstreet and the same at the Pantages. "Rage in Heaven" drew $6,000 at the 4 Star.

Estimated receipts for the week ending June 10:

"Pot o' Gold" (U.A.)
"The People vs. Dr. Kildare" (M-G-M)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $10,000. (Average, $12,000)

"Fantasia" (Disney)
CARTHAY CIRCLE—(1,518) (55c-$1.65) 7 days, 19th week. Gross: $7,100. (Average, $17,000)

"Citizen Kane" (RKO)
EL CAPITAN—(1,600) (75c-$1.65) 7 days, 5th week. Gross: $3,700.

"Rage in Heaven" (M-G-M)
4 STAR—(900) (44c-55c) 7 days. Gross: $6,000. (Average, $3,250)

"Sunny" (RKO)
"Her First Beau" (Col.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $7,200. (Average, $6,500)

"Pot o' Gold" (U.A.)
"The People vs. Dr. Kildare" (M-G-M)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $11,600. (Average, $14,000)

"Sunny" (RKO)
"Her First Beau" (Col.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $7,200. (Average, $7,000)

"One Night in Lisbon" (Para.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Harry Owens. Gross: $18,500. (Average, $18,000)

"Million Dollar Baby" (W.B.)
"Devil Dogs of the Air" (W.B.)
WARNER BROS. HOLLYWOOD—(3,000) (33c-44c-55c-75c) 7 days. "Baby", 2nd week. Gross: $6,000. (Average, $14,000)

"Million Dollar Baby" (W.B.)
"Devil Dogs of the Air" (W.B.)
WARNER BROS. DOWNTOWN—(3,400) (33c-44c-55c-75c) 7 days. "Baby", 2nd week. Gross: $6,500. (Average, $12,000)

'Argentina,' Show $14,700 in Buffalo

Buffalo, June 15.—"They Met in Argentina," with a stage revue at the Twentieth Century, was best here with $14,700. "The Lady from Cheyerne," double-billed at the Lafayette, drew $6,700.

Estimated receipts for the week ending June 7:

"Billy the Kid" (M-G-M)
"There's Magic in Music" (Para.)
BUFFALO—(3,489) (30c-55c) 7 days. Gross: $11,700. (Average, $12,000)

"I Wanted Wings" (Para.)
"The Nurse's Secret" (W. B.)
GREAT LAKES—(3,000) (30c-55c) 7 days, 2nd week. Gross: $6,800. (Average $7,500)

"Love Crazy" (M-G-M)
"For Beauty's Sake" (20th-Fox)
HIPPODROME—(2,100) (30c-50c) 7 days 2nd week. Gross: $6,900. (Average, $6,800)

"They Met in Argentina" (RKO)
TWENTIETH CENTURY—(3,000) (30c-35c-55c) 7 days. "Laff America," a stage revue, with Milt Britton & his Musical Maniacs, Tommy Rafferty, Tito, Al Gordon's Racketeers, Ginger Manners, Joe Britton, Helen Pammer and the Milt Herth Swing Trio. Gross: $14,700. (Average, $7,500)

"The Lady From Cheyenne" (Univ.)
"The Man Who Lost Himself" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $6,700. (Average, $6,300)

2 Detroit Houses Close

Detroit, June 15.—The United Artists, key downtown theatre, has closed for the summer. The Cinema, another downtown house, will close for the summer today.

Feature Reviews

"Nevada City"

(Republic)

THE time is 1860; the place, California, and the theme, a plot to gain control of both a railroad and a stage line by inducing the heads of each, through the old frame-up route, to fight each other until their funds give out.

The story, while not entirely new, is solidly constructed, and is ably handled by Roy Rogers, who also sings a few Western melodies; Gabby Hayes, past-master at the old-timer role; Sally Payne, Billy Lee, Fred Kohler and others.

Director Joseph Kane, who also was associate producer, generally made good use of the action phases of the story. The film is satisfactory most of the way and in spots is exciting for the Western fan.

Running time, 58 minutes. "G."*

"The Texas Marshal"

(Producers Releasing)

THIS contains large portions of action in many fist and pistol fights, plus a few prairie melodies sung by Art Davis, but with all it does not go beyond the ordinary Western film with a formula plot development.

Veteran Tim McCoy has the lead and seems inclined to be slightly over-dramatic in some instances but his work generally as the range detective who exposes and rounds up a group of phoney patriot-organizers is a credit to the production. He is especially impressive in the fight scenes.

Supporting players include Karl Hackett, whose role is that of a swindler who, through patriotic pretenses, induces the citizens to sell their ranches, containing valuable ore; Charles King, as Moore's assistant; Dave O'Brien, manager of Davis' radio show; Kay Leslie, Edward Peil, Sr., and others.

Sigmund Neufeld produced the film, directed by Peter Stewart.

Running time, 51 minutes. "G."*

**"G" denotes general classification.*

'Billy the Kid' Pulls $11,000, Denver Lead

Denver, June 15.—Business continued above average. "Billy the Kid" on a dual at the Orpheum took $11,000, "Blood and Sand," at the Denver, also on a dual, took $10,400 and "One Night in Lisbon" at the Denham drew $8,500 in the third week.

Estimated receipts for the week ending June 10-13:

"The Great American Broadcast" (20th-Fox)
ALADDIN—(1,400) (25c-40c) 7 days, 2nd week. Gross: $2,200. (Average, $2,000)

"Love Crazy" (M-G-M)
"Washington Melodrama" (M-G-M)
BROADWAY—(1,040) (40c-50c) 7 days, 3rd week. Gross: $2,500. (Average, $2,500)

"Blood and Sand" (20th-Fox)
"Naval Academy" (Col.)
DENVER—(2,600) (25c-35c-40c) 7 days. Gross: $10,400. (Average, $8,700)

"One Night in Lisbon" (Para.)
DENHAM—(1,750) (25c-35c-40c) 7 days, 3rd week. Gross: $8,500. (Average, $6,400)

"Billy the Kid" (M-G-M)
"They Met in Argentina" (RKO)
ORPHEUM—(2,600) (25c-35c-40c) 7 days. Gross: $11,000. (Average, $8,700)

"Topper Returns" (U.A.)
"Dead Men Tell" (Mono.)
PARAMOUNT—(2,200) (25c-40c) 7 days. Gross: $4,900. (Average, $3,800)

"Meet John Doe" (W.B.)
"The Redhead" (Mono.)
RIALTO—(900) (25c-40c) 7 days, 3rd week. Gross: $2,200. (Average, $2,100)

World Acquires Film

World Pictures has acquired for distribution in this country the film, "Poland Forever," said to have been produced in cooperation with the Polish Government in exile, in England.

PCCITO to Meet Goldwyn on Duals

Los Angeles, June 15.—A series of conferences with producers, distributors and circuit operators designed to achieve an agreement on the elimination of double features will start tomorrow when Samuel Goldwyn meets with trustees of the Pacific Coast Conference of Independent Theatre Owners.

The conferences will carry out the mandate of the organization's convention to attempt elimination of the practice by agreement of the industry's leaders.

Charles Skouras, Fox West Coast executive, and Al Lichtman, M-G-M studio official, have accepted the organization's invitation to meet with its representatives, in addition to David O. Selznick and Walter Wanger, who had previously accepted.

L. O. Lukan, chairman of the PCCITO's double billing committee, is expected to remain here throughout the week for the conferences.

Organization trustees were in session all day Friday to approve the resolutions adopted at last week's convention and to prepare the machinery to carry them through.

Ban Cranston House

Cranston, R. I., June 15.—The local Zoning Board, after a long hearing, has rejected the petition of Albert H. Cipriano of Providence to build a film house here.

Puddin' Head
A REPUBLIC PICTURE
JUDY: "I'm sorry about my hound dog botherin' you. Ever since Uncle Lem trained him fer huntin', he's allus runnin' after anything that looks like a skunk."
JUDY CANOVA with
FRANCIS LEDERER
RAYMOND WALBURN · "SLIM" SUMMERVILLE
EDDIE FOY, JR. · ASTRID ALLWYN · ALMA KRUGER · HUGH O'CONNELL · "CHIC" CHANDLER
JOSEPH SANTLEY—Director · Screen play by Jack Townley and Mill Gross · Original Story by Jack Townley

Agnew to Name New Season's First Product

(*Continued from page* 1)

will be held at the Royal York Hotel. Agnew is expected to present confirmation of glowing advance accounts of such of the company's product as "Aloma of the South Seas," "Skylark" and "Hold Back the Dawn." Also, he is expected to reveal additionally that Paramount will start the new season abundantly fortified with new product.

Other Films Listed

Other pictures likely to be discussed at the meeting, it is reported, are "Sullivan's Travels," the new Preston Sturges' film; "Birth of the Blues," the Bing Crosby-Mary Martin film; "Bahama Passage," with Madeleine Carroll and Sterling Hayden; "Nothing but the Truth," with Bob Hope, and "Among the Living." Dorothy Lamour and Jon Hall are starred in "Aloma of the South Seas," produced in Technicolor. Claudette Colbert stars in "Skylark."

The sales force will hear that Paramount has never before started a new season so auspiciously, officials report.

The Canadian sales meeting will run three days. Barney Balaban, president; Stanton Griffis, chairman of the executive committee; Agnew, sales chief; Leonard Goldenson, Paramount theatre head, and Oscar Morgan, head of shorts sales, will address the meeting tomorrow. Tuesday Robert M. Gillham, director of advertising and publicity, will address the convention.

Exhibitors to Be Guests

About 150 exhibitors will be guests of the company at a luncheon tomorrow. It is said that virtually every important exhibitor leader in the Dominion has been invited to attend.

Balaban, Griffis and Agnew will head for the Coast for studio conferences later in the week, after returning to New York for the stockholders' meeting on Tuesday.

Lawrence Fox Firm Plans Gallup Short

Lawrence W. Fox, former vice-president of Standard Capital, heads a new company which has undertaken to produce shorts based on the Gallup surveys. The firm is known as Film Institute, Inc. Edmund L. Dorfman, it has been announced, will produce and direct the first subject. Associated with Fox in the new company, the announcement states, will be Howard S. Cullman, George Halas, Paul MacNamara and Richard S. Goldman. John F. Wharton is counsel. Dorfman has produced historical shorts which have been released by Columbia.

Grainger Continues Tour on New Deals

James R. Grainger, president of Republic, returned from Chicago Saturday and was to have left last night by plane for product negotiations in Dallas, Oklahoma City, St. Louis and Detroit. He is scheduled to return here early next week.

While in Chicago, Grainger closed with Publix-Great States Theatres for 1941-'42. J. J. Rubens and Henry Sticklemaier signed for the circuit.

Feature Reviews

"The Saint's Vacation"

(*RKO*)

WITH Hugh Sinclair in the title role, the "Saint" is off on another series of hectic adventures. Fast moving and with engaging direction by Leslie Fenton, the film is pleasant program fare.

Like all great mystery solvers of fiction, the Saint cannot stay away from trouble even while on vacation. Despite his solemn pledges and the best efforts of his companion, Arthur Macrae, the Saint stumbles on an international spy hunt and the lure of the chase is too much for him to resist.

And what a chase it is! Train robberies, stabbings, wild rides through the country with the Saint clinging to the rear bumper of a speeding automobile, and prison breaks. Neither the Saint nor his antagonist, Cecil Parker, holds the upper hand for more than 30 seconds at a time, and the solution does credit to the deductive powers of the former.

Sally Gray is engaging as a newspaperwoman who accompanies Sinclair and Macrae on their "vacation." Others in the cast include Leueen MacGrath, Gordon McLeod, John Warwick, Ivor Barnard, Manning Whiley and Felix Aylmer. William Sistrom produced the picture at the D.M.P. Studios at Denham.

Running time, 61 minutes. "G."* EDWARD GREIF

"The Get-Away"

(*M-G-M*)

Hollywood, June 15

A FAMILIAR pattern is followed by "The Get-Away." In it appear the FBI agent (Robert Sterling) who poses as a gangster in order to stage a jail break and discover the hideout of a killer (Dan Dailey, Jr.).

And in it, too, appear the killer's innocent sister (Donna Reed), who complicates the young agent's Federal assignment, although finally seeing that his duty was a necessary one, even though it involved the death of her brother.

Charles Winninger is seen as a doctor whose interests are in the field of alcohol and whose duties consist mainly of treating injured members of the gang led by Dailey. Henry O'Neill is the prison warden.

J. Walter Ruben produced the picture and Edward Buzzell directed.

Running time, 89 minutes. "G."* W. S.

**"G" denotes general classification.*

Buffalo Bingo Game Is Ordered Halted

BUFFALO, June 15.—Jay-Phil Company, Bingo proprietors, agreed to stop an alleged Bingo game in the Academy Theatre here, after the police gave warning they would make an arrest if the game went on. A squad of downtown officers arrived at the theatre as about 100 patrons waited for the show to start.

Jay-Phil was one of six groups indicted last month for violating the lottery laws. Its case has not been called for trial.

Halt Chaplin Series

HOLLYWOOD, June 15. — Federal Judge Ralph Jenney has granted a temporary injunction restraining Edward Cohen, operator of the Movie Parade, a silent film revival house, from exhibiting six Charles Chaplin films made in 1918. The court ordered the prints deposited with the court clerk pending trial of the action brought by Festival Films Corp. to prevent the showing.

Epstein Play at Suffern

"Rufus and His Wife," new play by Jules and Philip Epstein, will be performed first at the Suffern County Playhouse, during the third week in August. "World Premiere," by Alex Gottlieb and Edmund Joseph, has been optioned by the Playhouse.

Fighting Milwaukee Carnival Competition

MILWAUKEE, June 15. — With 14 carnivals already licensed for showing here this Summer—some already held and others to come—the attention of city officials has been called to a section in the city code passed in 1922 which prohibits the performance of carnivals inside the city limits.

The section does not apply to carnivals with less than three riding devices, but the majority of those which have been licensed have more than three such devices. City Attorney Walter Mattison, after studying the code, said that the practice of calling carnivals 'festivals or celebrations" in granting permits was "purely a subterfuge." The carnivals have been serious competition to exhibitors.

Chance Game Total Rises in Cincinnati

CINCINNATI, June 15.—There were 262 chance game parties here in May, with a total attendance of 299,932. Gross was $205,459.66; prizes, $49,112.45, leaving net of $155,347.21 to sponsoring organizations, according to figures of Police Chief Eugene T. Weatherly. Average net cost per player was 52 cents.

These figures compare with 222 parties in April attended by 234,175 persons. Gross was $164,337.15; prizes, $44,088.04, and net, $120,249.11. Average net cost per player was 51.3 cents.

Short Subject Reviews

"Will England Be Invaded?"

(*Columbia*)

A NEW entry in William Rowland's series of "International Forum" subjects ponders the pro [illegible] con of whether Hitler will att[illegible] an invasion of Britain this year and, if so, whether or not it is likely to succeed.

The "experting" this time is done by Major George Fielding Eliot, newspaper military commentator; Ralph Ingersoll, publisher of *PM;* Wythe Williams and Linton Wells. The consensus of the discussion is that Hitler is unlikely to try an invasion and, if he does, it is unlikely to succeed. Interesting as the discussion may be to many, it does not fall in an entertainment classification. The subject material is grim, the manner of presentation is deadly sober and audience reaction may well be the same. Running time, 20 mins.

"Meet Roy Rogers"

(*Republic*)

Also to be met in this subject are Gene Autry, Judy Canova, Bill Elliott, George "Gabby" Hayes, Billy Gilbert, Bob Baker, Roscoe Ates and Mary Lee. The short is another of Miss Parsons' "Meet the Stars" series and was filmed at the opening of Roy Rogers' "Trading Post" in San Fernando Valley. The outdoor stars are seen offering their felicitations. Miss Lee and Rogers sing briefly. This would be ideal to round out a Western program. Running time, 10 mins.

"Yosemite, the Magnificent"

(*Fitzpatrick-M-G-M*)

James A. Fitzpatrick took his color camera to the beautiful Yosemite Valley in the Sierras, and expertly recorded its full beauty. This is not the first time that Yosemite has served as travelogue material but this vies with the best. Running time, 9 mins.

British Manpower Group Will Report

LONDON, June 15.—The committee on the manpower needs of the British film industry, appointed by the Ministry of Labor, has completed the hearing of evidence and started preparation of a report to the Labor Minister. The industry is seeking exemption of technical employes from military service.

Simon Rowson and Colonel Bromhead, representing the Board of Trade, reported on consultations with the newsreels and their minimum requirements to April, 1942, based on trade needs and the needs of the Ministry of Information and other Government bodies.

Seattle Party June 26

SEATTLE, June 15.—The annual picnic of the Northwest Film Club will be held June 26 at Gaffney's Lake Wilderness Grove. Joseph Cooper, club manager, is handling details.

New Program To Be Outlined At RKO Meet

(Continued from page 1)

Cooper production and his third planned for RKO, to be based on the story "The Singing and the Gold." Other productions likely to find a place on the company's early sales schedule are Orson Welles' "Citizen Kane," now being roadshown; Walt Disney's "Fantasia," also being roadshown; Frank Buck's "Jungle Cavalcade"; the Edgar Bergen-Charlie McCarthy picture, "Look Who's Talking"; the Gloria Swanson vehicle, "Father Takes a Wife," and "The Devil and Daniel Webster," with Walter Huston.

Schaefer and Breen to Speak

Screenings of the new product which will make up the first block offerings will be held for the 300 convention delegates at the Lexington Avenue Trans-Lux Theatre beginning today. The first business session is scheduled to be opened by Ned E. Depinet, vice-president in charge of distribution, this afternoon. George J. Schaefer, RKO president, will be the principal speaker at the session and will introduce Joseph I. Breen, newly appointed RKO studio head, to the sales force. Schaefer and Breen plan to return to the studio in a day or two.

A. W. Smith, sales manager, and Harry Michalson, short subjects sales manager, will follow Schaefer as speakers. Smith will discuss general business on current season's releases and Michalson will outline new season's short subjects plans.

Announcements of winners of the Ned Depinet sales drive and awards to 100 per cent managers and salesmen will be made today.

National Screen at Session

The delegates will be on their own tonight and after tomorrow's business session they will be the guests of The March of Time at a cocktail party at the Park Lane Hotel. National Screen Service will participate in a joint convention meeting tomorrow with the RKO group. The National Screen subsidiary, Advertising Accessories, handles the RKO accessories work.

RKO's first block of five and details of other pictures which will make up the new season's schedule will be announced by Depinet tomorrow. Edgar Bergen, Gloria Swanson, Burgess Meredith, Simone Simon, Frank Buck and others are scheduled to be guests at tomorrow's convention luncheon.

Additional speakers on today's list include Cresson E. Smith, Western sales manager; Bob Mochrie, Eastern sales manager; Reginald Armour and Perry Lieber of the studio; Leo Devaney, sales drive leader; Breen and Fred Ullman, head of Pathe News.

Tully Suit Dismissed

Suit of Jim Tully for $50,000 damages against Paramount, William K. Howard and Odessco Productions has been dismissed by Federal Judge John C. Knox for failure to prosecute. Tully charged the defendants had violated the civil rights law by allegedly using his name in advertising the film, "Home Town."

RKO Executives Attending Sales Meeting

GEORGE SCHAEFER
President
of RKO

NED E. DEPINET
Vice-President
of RKO

PHIL REISMAN
Vice-President,
Foreign Manager

JOSEPH BREEN
General Manager
of Studio

A. W. SMITH, JR.
General Sales
Manager

ROBERT MOCHRIE
Eastern Division
Manager

CRESSON SMITH
Western Division
Manager

HARRY MICHALSON
Short Subject
Sales Manager

BARRET McCORMICK
Director Publicity,
Advertising

FREDERIC ULLMAN
Vice-President
RKO Pathe News

Court Delays Ruling On Nazi Film Ban

ALBANY, June 15.—Supreme Court Justice William H. Murray has reserved decision in the suit brought by Richard R. Rollins and the Non-Sectarian Anti-Nazi League to halt the distribution and exhibition of the German army film, "Victory in the West," in the state. The suit contends the film is not a newsreel but a feature picture and, therefore, requires a license from the motion picture division of the State Education Department.

Julius L. Goldstein, attorney for the plaintiffs, characterized the film as Nazi propaganda. Joseph Lipsky, counsel for the Commissioner of Education, challenged Rollins' right to appear because it was not shown that he was aggrieved.

Canada Film Bureau In War Service Unit

MONTREAL, June 15. — Control of the Government Motion Picture Bureau, except that section dealing with production and distribution of still photographs, was transferred from the Trade and Commerce Department and placed with the National Film Board under an order-in-council.

In announcing the appointment of J. T. Thorson as Minister of National War Services recently, Prime Minister McKenzie King said that Government publicity services including the National Film Board would be placed under the authority of the War Services Department. The order said that Commissioner of the Film Board John Grierson had advised the transfer.

Test Blackout in Ottawa Thursday

Ottawa, June 15.—A complete blackout will be staged in Western and South Central districts of Ottawa on Thursday to test the efficiency and degree of preparedness of the local air raid precaution units. A 15-minute warning will be sounded before sirens and whistles give the blackout signal.

Skouras Dismissed In Pickwick Action

NEW HAVEN, June 15.—The defendant Skouras Theatres Corp. in the $5,452,575 Pickwick anti-trust suit against the eight major companies and Skouras interests, has had granted its motion to have the complaint dismissed and the "purported summons" quashed, by Judge Carroll C. Hincks of the U. S. District Court.

Skouras Theatres Corp., George P. and Spyros P. Skouras, and Fox Metropolitan Playhouses, Inc., all moved to be dismissed because of alleged improper service of summons and lack of jurisdiction of the court here.

Dismiss Du-Art Suit

Federal Judge John C. Knox has ordered dismissal of the $50,000 breach of contract suit of Standard Pictures Productions against Du-Art Film Laboratories for failure to prosecute. The suit charged Du-Art retained negatives and prints of "The Headleys at Home."

Chinese Films Lead Pa. Foreign Product

PHILADELPHIA, June 15. — Mrs. Edna R. Carroll, chairman of the Pennsylvania State Board of Motion Picture Censors, in announcing that the censor board is being "extra-vigilant" on all foreign pictures, disclosed that of all foreign films filed with the board for review, Chinese pictures are greatest in demand. Since the first of the year, the board has reviewed and passed 12 Chinese pictures, twice as many as for the entire 1940 year.

Mrs. Carroll disclosed that the greatest number of foreign films submitted to the board this year are the Chinese and Italian pictures, and practically all of them are musicals. Interest in the Chinese films undoubtedly is due to the increased activity in this territory of the China War Relief Committee. While no regular theatre exhibits the Chinese films, such pictures are shown regularly in private halls in the Chinatown section here.

It also was disclosed that the German film, "Victory in the West," has not been submitted to the board as yet for review and, according to Mrs. Carroll, it is most doubtful whether a seal of approval for the film will be sought in this State, in spite of large German populations in eastern Pennsylvania. It is pointed out that no local exchange will handle German pictures, a similar ban being unofficially imposed upon such films by the film delivery companies as well. Moreover, Mrs. Carroll explained that such films must meet the approval of the board even if the showings are for private audiences only.

FCC Hearing Resumes; Fly View Liberal

WASHINGTON, June 15.—Hearings on the FCC rules for network operation will be resumed tomorrow by the Senate Interstate Commerce Committee, with the controversy centering on the extent of the commission's power. A sharp split is apparent within the commission over its authority to promulgate such regulations as the rules on networks.

Mark Ethridge, vice-president of the Louisville *Courier Journal and Times,* who abandoned a broadcasting survey for President Roosevelt when the regulations were announced, on Friday urged the committee to investigate both the FCC and the industry. He said the industry is "unanimous" that the entire situation be probed.

T. A. M. Craven, who with Norman S. Case, forms the commission minority in the controversy, and who refused to subscribe to the network regulations, expressed his views to the Senate committee on Friday. Views of NBC and CBS, which would be affected by the rules, will be voiced by officials before the committee this week. Craven has contended that the commission has gone beyond its authority in the network regulations.

'Take All' Not Forbidden

The regulations do not prohibit contracts between stations and chains for all programs, in the opinion of FCC Chairman James L. Fly, it was indicated in a telegram to Gordon P. Brown of Station WSAY, Rochester, N. Y.

In the telegram, Fly said his "interpretation" of the regulations was that they "do not prohibit a contract establishing a network and station affiliation whereby a network agrees to offer all its programs to one particular station in a community."

"However," he added, "the station must make a reasonably prompt determination whether it will carry any program and there can be no restriction upon the right of other stations in the community to make arrangements for the broadcast of any refused or rejected programs."

NBC Engineers Hold Annual Conference

NBC division engineers will meet at Radio City today for their annual conference on technical policies and procedures. O. B. Hanson, vice-president and chief engineer, and George McElrath, operating engineer, will preside at the sessions, which will last all week. Following the conference, most of the engineers will attend the Institute of Radio Engineers' convention at Detroit.

Those attending will include A. H. Sexton, Western division engineer; Howard Luttgens, Central division engineer; Curtis Peck, engineer in charge at San Francisco; S. E. Leonard and R. H. Owen, engineers in charge at Denver; A. E. Johnson, engineer in charge at Washington, and A. E. Milne, Eastern division engineer.

Ascap Plans Trust Suit Against Radio Interests

An anti-trust suit for treble damages against NBC, CBS, the National Association of Broadcasters and Broadcast Music, Inc., was authorized by the Ascap board of directors at a meeting on Friday.

The music society's attorneys, Schwartz & Frohlich, were authorized to file the suit on the grounds that the failure of the two networks to renew Ascap licenses since Jan. 1 has resulted in banning the society's music from the air in violation of the Sherman anti-trust law.

Ascap sources declined to elaborate over the weekend on the bare announcement that its counsel had been authorized to bring suit. Louis D. Frohlich of Schwartz & Frohlich could not be reached for comment.

The society has been in almost daily communication with NBC and CBS representatives for the past month with respect to negotiations for new licensing agreements for the networks, such as was signed recently by Mutual. Ascap officials declined to say whether the networks had terminated negotiations, thus instigating Ascap's move toward court action. Factions within Ascap, however, have urged such action for several weeks on their conviction that the networks were not participating in the negotiations in the best of faith and had no intention of making new contracts with Ascap.

Questions concerning the status of the negotiations prior to the Ascap board meeting, John G. Paine, general manager, stated merely that the negotiations had been "sidetracked by the Senate committee hearings on the FCC in Washington."

Ascap Writers Name Nominating Committee

Writer members of Ascap have named the following to a nominating committee to prepare a slate of writer-member candidates for the Ascap board: Leo Robin, Howard Dietz, George Whiting, Jacques Wolfe, Jerry Livingston and John Redmond.

686 Stations in BMI; WNEW Latest to Sign

WNEW over the weekend abandoned its policy of using Ascap music exclusively and signed with BMI. Since April 1, 23 stations have purchased BMI licenses, it was disclosed, bringing the total number of licensees to 658 commercial stations and 28 noncommercial for a total of 686.

It was pointed out by BMI that more than 4,000,000 records now carry BMI tunes thus making it important for stations like WNEW which uses recordings extensively to obtain BMI licenses. Stations which have signed since April 1 include KBIZ, Ottumwa, Ia.; WPAT, Paterson, N. J.; WWDC, Washington; WKWK, Wheeling, W. Va.; WHLN, Harlan, Ky.; WMRF, Lewistown, Pa.; W51R, Rochester, N. Y.; W47A, Schenectady, N. Y.; W55M, Milwaukee; (the last three being FM stations); WERC, Erie, Pa.; WHOP, Hopkinsville, Ky.; WSMB, New Orleans; WJAG, Norfolk, Neb.; WAGE, Syracuse, N. Y.; WMVA, Martinsville, Va.; WLAG, LaGrange, Ga.; KSWO, Lawton, Okla.; WRLC, Toccoa, Ga.; WMUR, Manchester, N. H.; WJMA, Covington, Va.; WPAD, Paducah, Ky., and WHIP, Hammond, Ind.

No Ascap Plan to Raise Theatre Fee

(*Continued from page* 1)

of revenue from its radio outlets, exhibitors would do well to appoint a delegation to ascertain whether the society contemplated any increase in theatre music rates to recoup its radio losses.

Paine observed that the exhibitor himself has the right to continue his Ascap license from year to year, although the pact is cancellable by either side on notice.

Florida Permits Blanket License for Theatres

TALLAHASSEE, Fla., June 15.—A bill exempting Florida theatres from the provisions of the state anti-Ascap law has been enacted by the legislature.

The measure, sponsored by Florida exhibitors, permits theatres to obtain blanket licenses from Ascap despite the state law's prohibition against dealings with "unlawful combines of music copyright owners" by music users within the state.

Amendments to the state law to permit broadcasters, hotels and other music users to continue to obtain blanket licenses are in preparation.

Winchell, Hope Are Tied for First Place in New Radio Listener Rating

Walter Winchell achieved a tie for first place with Bob Hope in the latest Hooper radio ratings. This marks the first time that a once-weekly quarter-hour show has been in first place, it was stated. Winchell rose from sixth place in November.

June ratings were said to have reflected the usual Summer decline and are expected to reach bottom in July and August. The top 15 programs according to the Hooper survey and their ratings follow:

Hope and Winchell, tied, 25.3; Fibber McGee and Molly, 22.9; Jack Benny, 22.5; Edgar Bergen-Charlie McCarthy, 20.3; "Lux Radio Theatre," "Aldrich Family," tied, 19.3; Maxwell House "Coffee Time," 15.6; Kay Kyser, 14.7; "Mr. District Attorney," 14; Rudy Vallee-John Barrymore, 13.8; Eddie Cantor, 13.5; Bing Crosby, 13.1; Major Bowes "Amateur Hour," 12.6, and "Parker Family," 12.5.

WMCA Airs Tribute To Runyon Tonight

WMCA will broadcast a special half-hour tribute to Damon Runyon beginning at midnight tonight in connection with the preview of Runyon's "Tight Shoes" at the Ziegfeld. Milton Berle and Julius Colby, WMCA drama editor, will be masters of ceremonies for the broadcast originating from the lobby and stage of the theatre.

Among those scheduled to appear are Billy Rose, Leo Lindy, Ben Bernie, Joe Santley, Sammy Kaye, Johnny Broderick, Joe Gould, Jimmy Braddock "Broadway Sam," a cab driver, a hack driver, a newsboy, a bartender and a blind beggar.

Nathanson Position On CBC Questioned In Canadian House

OTTAWA, June 15.—B. J. Coldwell, acting House leader of the CCF, Government agency, addressing Commons Friday night, said he was not sure of the wisdom of having a man such as N. L. Nathanson, who is interested in a competing business like theatres, on the board of governors of the CBC.

Coldwell asked for a Parliamentary inquiry into the causes leading to recent changes in the network's management. He claimed the changes were of a nature which weakened the management and jeopardized the corporation's future.

Reply by Howe

Munitions Minister Howe stated he had no apology for either the corporation or its officials. The changes, effected by a recent order in council, altered the whole constitution of the corporation in a manner contrary to the report of the Commons committee in 1936 and contrary to the spirit of the act itself, the CCF leader said.

Priorities Problems Face Set Producers

CHICAGO, June 15.—Priorities were described as the coming "No. 1 headache" for all civilian industries by Paul V. Galvin, of the Radio Manufacturers Association priorities committee as the annual convention here ended Friday. Bond Geddes, executive vice-president, declared that there would be no immediate effect on set production for three or four months but after that period material shortage would be felt and a curtailment of manufacturing would be necessary unless substitutes were found.

Galvin said, "We have a problem we never had before. We have consumer purchasing power climbing to a boom stage, practically underwriting a guarantee of a sell-out at the same time Uncle Sam is telling the radio manufacturer, 'You can't have all the materials that you need to fill these orders.' "

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V. 49. NO. 117 NEW YORK, U. S. A., TUESDAY, JUNE 17, 1941 TEN CENTS

NSS Opens Its First National Sales Meeting

Drive Winners Announced By George Dembow

Herman Robbins

National Screen Service opened its first annual national sales convention at the Waldorf-Astoria Hotel yesterday morning, with George Dembow, vice-president in charge of sales, presiding. Herman Robbins is president of National Screen.

The four-day meeting is being attended by home office and fieid executives, as well as branch and district managers and salesmen. National Screen Service, and the two subsidiaries, Advertising Accessories,

(*Continued on Page 4*)

Will Hays Leaves Chicago Hospital

CHICAGO, June 16.—Will H. Hays, president of the MPPDA, left St. Luke's Hospital here today after a rest of several weeks following an attack of pneumonia earlier in the year. He has gone to his home in Sullivan, Ind., for several days. From there he will go to New York and later go to Hollywood.

Report Para. Working Out Double Bill Ban

Los Angeles, June 16.—Leonard Goldenson, head of Paramount theatres, has informed the Pacific Coast Conference of Independent Theatre Owners that he is working on a plan for elimination of double bills from Paramount houses and would forward it to Robert H. Poole, the organization's executive secretary, next week, Poole said today.

Samuel Goldwyn today met with PCCITO representatives in the first of a series of meetings discussing duals.

W. B. Phila. Houses Drop Giveaways Due To 'Lack of Interest'

PHILADELPHIA, June 16.—Giveaway of dishes and similar premiums has outlived its usefulness, as far as the Warner Theatre circuit here is concerned. Lack of interest in dishes, manifest by the patrons, has resulted in the circuit discontinuing the giveaway at its houses. At the present time, only three houses, the Ogontz, Forum and Liberty, are giving dishes and when the entire sets are distributed, the entire circuit will be entirely devoid of giveaways. During the peak of the dish era, between 35 and 50 Warner neighborhood houses were giving away a merchandise premium of one sort or another.

House managers have reported that many patrons were visibly annoyed when handed a dish, some even smash-

(*Continued on page 5*)

Balaban Talks at Para. Toronto Meet

TORONTO, June 16.—The important role that the motion picture is playing in current world affairs and the significance of this work to Canada as an active belligerent was discussed by Barney Balaban, Paramount president, at the opening session today of the company's Canadian sales convention at the Royal York Hotel here. The meeting will continue through Wednesday.

Austin Keough, Paramount vice-

(*Continued on page 5*)

Ben Cohen, Wife Rescued at Sea

Ben Cohen, Loew manager en route to manage the new Metro Theatre, Durban, South Africa, and his wife, Berta, were among the passengers of the torpedoed steamer *Robin Moor* whose rescue and landing at Cape Town, South Africa, was made known yesterday.

M-G-M indicated Cohen probably would continue on to his assignment, depending, of course, on his condition.

Minn. Theatres Face Shortage Of New Films

MINNEAPOLIS, June 16.—Faced with a shortage of product because of the state anti-blocks-of-five law, Northwest Allied's legislative committee today set up a plan of member contacts in order to hold its membership intact during the forthcoming anticipated court attack against the recently enacted statute.

It is believed here that because of the Supreme Court's recent decision in the Ascap cases, affirming the states' rights to enact regulatory legis-

(*Continued on page 4*)

DuMont Weighs Entry Into Theatre Television Field

DuMont is considering entering the theatre television field by manufacturing large screen receivers and "possibly" will demonstrate them during the Summer, Allen B. DuMont, president, has disclosed. He declined to discuss the details.

With July 1 set as the date for starting commercial telecasting, DuMont is preparing to be one of the three stations in this area each of which will air 15 hours of programs weekly. The new 1,000-watt video transmitter will be on the air for preliminary tests this week, DuMont said, and the FM transmitter for the sound channel is also ready.

DuMont receivers now in use will have to be adjusted to the new stand-

(*Continued on page 6*)

S. R. Kent's Mother Dies on Coast in 80's

HOLLYWOOD, June 16.—Mrs. Alice Kent, mother of Sidney R. Kent, president of 20th Century-Fox, died today at her home in Burbank after an illness of several weeks. Grief over the recent passing of her husband and two sons, Percy and Ernest, is believed to have hastened her end. She was in her early 80's. Funeral services will be held Wednesday at Tremont Baptist Church, Pasadena.

Survivors, in addition to S. R. Kent, are a daughter, Mrs. Olive Barber, and two other sons, Larry and Arthur. Mrs. Kent had lived for the last 20 years in Southern California.

RKO Screens First 5-Block At Convention

Depinet to Outline New Season Films Today

Ned Depinet

RKO's first block-of-five to be sold by the company nationally was made known at the opening of the company's annual sales convention here yesterday with the start of screenings of the pictures comprising the block.

The productions are:

"The Devil and Daniel Webster," produced and directed by William Dieterle, with Edward Arnold, Walter Huston, James Craig, Anne Shirley, Jane Darwell, Simone Simon and others.

"Father Takes a Wife," with Gloria

(*Continued on page 7*)

Expect State Dep't To Ban Axis Films

With the State Department order to close all German consulates and propaganda agencies and the freezing of Axis currency in this country, observers expect that one of the next steps will be a ban on all Axis films.

This would be in line with the demand recently made by Max A. Cohen, president of Allied Theatre Owners of New York and chairman of the MPTOA committee on the subject, and of Harry Brandt, president of the ITOA of New York, as well as representations understood to have been made to the State Department by Senator James Mead of New York.

Lubitsch to Make Film for Wanger

HOLLYWOOD, June 16.—Walter Wanger today announced he had signed Ernst Lubitsch to direct a "spectacular melodramatic comedy" which Lubitsch wrote with Melchior Lengyel. No details of the story were announced. Lubitsch, who is under contract to 20th Century-Fox, may make one outside deal annually.

'Lisbon', 'Man Hunt' Lead B'way Grosses

Grosses on Broadway enjoyed a fairly prosperous weekend, as the uncertain weather kept many people in town and the rain Sunday evening brought them into the theatres.

The Paramount did outstanding business with "One Night in Lisbon" and Vincent Lopez and his orchestra and Milton Berle on the stage. The bill drew an estimated $18,000 Saturday and Sunday and is expected to finish the first week tonight with about $42,000. It will be held over a second week.

At the Roxy, "Man Hunt" with a stage show, opened strongly, taking an estimated $26,700 Friday, Saturday and Sunday. The picture will be held for a second week beginning Friday. "Sunny" at the Radio City Music Hall with a stage presentation, drew an estimated $50,000 Thursday through Sunday. It will be replaced on Thursday by "She Knew All the Answers."

"Major Barbara" is expected to complete its fifth week at the Astor tonight with about $7,000. It starts its sixth week tomorrow.

Vogel Will Speak in Gloversville Today

A-Mike Vogel, chairman of the Managers Round Table of *Motion Picture Herald*, today will address the Kiwanis Club of Gloversville, N. Y., on the part that the motion picture industry and the theatre manager are playing in the national defense program. Arrangements for the talk were made by J. Meyer and Louis W. Schine with Lou Hart and Harold Sliter, the latter two the Schine circuit's representatives on the club's program committee.

Vogel also is scheduled to confer with Schine home office executives and district managers on promotional campaigns for summer business.

Beverly Schnitzer and Owen Lightstone Wed

Beverly Schnitzer, daughter of Edward M. Schnitzer, Eastern district manager for Warners, and Mrs. Schnitzer, was married to Owen Lightstone of Montreal on Sunday at the Waldorf-Astoria Hotel. Lightstone, who owns the Orpheum Theatre in Montreal, is the son of the late Joseph Lightstone, who operated theatres in Montreal.

Young Is Named 'U' Cincinnati Manager

CINCINNATI, June 16.—Harry H. Young, Universal salesman in Columbus, has been named manager of the Universal branch here, to succeed Peter Rosian, who last week was appointed manager of a newly-created district consisting of Cincinnati, Indianapolis, Oklahoma and Dallas territories.

Reach SPG Decision

The Screen Publicists Guild of New York was advised yesterday that the National Labor Relations Board at Washington has reached a decision on the guild petition for certification as to collective bargaining agency for home office publicists. The decision is in preparation, the guild was informed.

Personal Mention

W. A. SCULLY, WILLIAM J. HEINEMAN and E. T. GOMERSALL are expected back from the Coast at the end of the week.

•

R. J. O'DONNELL is due here tomorrow from Dallas.

•

ALEXANDER KORDA, who arrived from the Coast by plane yesterday, plans to return to Hollywood tomorrow.

•

JOSEPH I. BREEN is scheduled to leave for the Coast tomorrow.

•

GEORGE ARCHIBALD, United Artists British joint managing director, will leave for Europe by clipper tomorrow. TEDDY CARR, who shares the same post in London, is in Lisbon awaiting clipper accommodations for New York.

•

COLONEL H. A. COLE, Allied States president, is in New York for a few days on personal business.

•

PAUL GENKEN, assistant manager of the Casino Theatre, Philadelphia, and PEARL ROSENFELD were married Saturday.

•

CHABLES DUTKIN, veteran Philadelphia manager, has been discharged from the Naval Hospital there after recovering from a long illness.

•

STANLEY DAVIES, manager of the Boyd Theatre, Chester, Pa., has been inducted into the Army, his place being taken by ALEX CZERENKO.

•

HAYS GARBARINO of the staff of the Franklin Theatre, Dipson house at Lackawanna, N. Y., has been called to Army service.

NEIL F. AGNEW, Paramount general sales manager, is expected from Toronto tomorrow.

•

WILLIAM F. RODGERS, general sales manager for M-G-M, returned yesterday from the Coast.

•

T. J. CONNORS, Eastern, Southern and Canadian division manager for M-G-M, has returned from a tour.

•

E. K. O'SHEA, M-G-M Central division manager, left yesterday for Detroit.

•

H. M. RICHEY, assistant to W. F. RODGERS, arrived from the Coast yesterday.

•

NAT TURBERG, manager of the Northio Paramount, Hamilton, O., is the father of a daughter, born to MRS. TURBERG at Mercy Hospital, Hamilton.

•

HERBERT BERG has returned from a vacation in the Great Smokies.

•

DAVID KINZLER, manager of the Lindell Theatre, St. Louis, is here for a two-week vacation.

•

STEVEN CHARAK, owner of the Etna Theatre, Etna, Cal., is the father of a son, born last week.

•

AARON GOLDBERG, pioneer San Francisco exhibitor, was given a surprise birthday party by 50 of his employes last week.

•

IRVING C. JACOCKS, president of the Connecticut MPTO, is back at his Branford, Conn., theatre, after the session of the state legislature.

Late News Flashes from the Coast

Hollywood, June 16

DAVID O. SELZNICK left tonight by TWA plane for New York for conferences with United Artists executives reportedly regarding proposals which have linked him with the leadership of the company. Though no statement regarding this was made, it is understood that no deal extending Selznick's participation in the company is near signing at this time.

• •

John M. Stahl today signed a producer-director deal for two years with 20th Century-Fox. His first film will be "Another Spring" based on the H. M. Thornman novel.

• •

John H. Harris national Chief Barker of the Variety Clubs of America, discussed the formation of a Southern California club at a meeting of film and theatre men and studio and radio representatives at the Walter Wanger studio tonight. He said efforts also will be made to establish "tents" in Portland and San Francisco.

• •

Ed Kuykendall, MPTOA president, left yesterday for Yosemite en route to his home in Columbus, Miss. David Palfreyman of the MPPDA and Herman Levy, executive secretary of the Connecticut MPTO, who also attended the MPTOA convention last week, left today for San Francisco by automobile.

• •

Screen Writers Guild members met tonight to consider the latest counter proposals from the producers on their demands for minimum wage scales and other conditions of a proposed bargaining contract. Details of the pact are to be worked out with the producers later.

• •

Warners today "borrowed" Henry Fonda from 20th Century-Fox to star opposite Priscilla Lane in "The Male Animal." Elliott Nugent, co-author of the play with James Thurber, was obtained from Paramount to direct the film version.

• •

Paramount today purchased a series of short stories by Borden Chase entitled "Dr. Broadway," and will produce them as a feature series.

Cooperation

Baltimore, June 16

THE stork that brings goats was unwittingly kind with free promotion for the picture "Billy, the Kid" here. Two days before the picture opened, a record sized "baby" was born at a goat farm in the outlying section of Baltimore. Receiving recognition on local radio news programs, the new arrival promptly was christen[illegible] "Billy, the Kid" and took on [illegible] unofficial tie-up with the film.

Equity Elects New Members of Council

The council of Actors Equity, at a special meeting yesterday, accepted "with regret" the resignations of eight council members and elected eight others to take their place. Action was deferred on the resignations of Florence Reed and Peggy Wood, vice-presidents. The resignations followed the election of five council members by an alleged "subversive" group.

The new councillors are: Donald Randolph, Robert Ross, Alexander Clark, Jose Ferrer, Ben Smith, Evelyn Varden, Roy Roberts and Walter Gilbert.

Coughlin Service Held

Funeral services were held yesterday morning for Joseph Coughlin of the *Motion Picture Herald* editorial staff, who died last Friday. A service was held at the home followed by a solemn requiem mass at St. Elizabeth's Church. About 200 attended. Burial was in Gate of Heaven Cemetary, Kensico, N. Y.

Cincinnati Veteran Dies

CINCINNATI, June 16.—George John Herrlinger, 80, owner of the neighborhood Center Theatre for the past 25 years, died at Deaconess Hospital after a lingering illness. He is survived by his widow and a daughter.

Irene Franklin Dies

Irene Franklin, 57, veteran actress, died Sunday at Englewood Hospital, Englewood, N. J., after suffering a cerebral hemorrhage. She appeared on the stage, in radio and films.

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DAILY
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LP 102 LONG N.MFB2 190
20TH CENTURY FOX FILM CORPN=
:444 WEST 56 ST NEWYORK NY=

"MOON OVER MIAMI" HAD GREATEST OPENING IN MIAMI AND LINCOLN THEATRES IN SUMMER HISTORY PLAYING AT NEW POLICY IN TWO THEATRES ONE IN MIAMI AND ONE IN MIAMIBEACH. BEAT ALL PREVIOUS OPENING RECORDS. BETTER THAN MARYLAND, LILLIAN RUSSELL, MARK OF ZORRO, RETURN OF FRANK JAMES, TIN PAN ALLEY. ALL GREATER MIAMI PROUD OF PICTURE AND I THINK IT GREATEST MUSICAL 20TH CENTURY FOX HAS EVER MADE.

KINDEST REGARDS=
:SIDNEY MEYER.

"A FIRST RATE MUSICAL AND A GREAT PICTURE!"
—*Bob Fredericks, Miami Herald*

"A MIAMI VACATION MINUS THE EXPENSES!"
—*Harold Pearl, Miami News*

SHOWMEN, NOTE! Big campaign included proclamation of "Moon Over Miami" Day in Greater Miami, joint resolution by the council of Miami Beach and city commissioners in Miami expressing appreciation for picture, 100 merchant windows specially decorated as further token of civic pride and gratitude!

Minn. Theatres Face Shortage Of New Films

(*Continued from page* 1)

lation of that kind, the action to invalidate the anti-decree law will not be brought in a Federal court but in a state distric court.

[MOTION PICTURE DAILY on June 6 reported that the major companies involved are strongly considering a suit in the state courts instead of a Federal action.]

Minnesota observers express themselves as mystified that some action has not already been taken, in view of the approach of the new selling season. The deadline is Sept. 1.

Northwest Allied probably will set a Summer convention in Minneapolis as soon as the majors' course of action against the law is known. Meantime, legislative committee members plan to contact independent exhibitors and call district meetings in order to hold their lines, and Fred Strom, Allied secretary, in a day or two will leave on a two-week tour of the territory contacting organization members.

Allied reported some accounts had been lost by RKO, operating under the consent decree, to Columbia, which is not bound to the decree and is operating under the new law.

Allied spokesmen said that some of its members might be affected by a shortage of product at the start of the new season, but that independents have said they prefer to close down rather than "weaken." They believe that the major distributors will not risk incurring public disfavor by forcing closings.

Eleven New Pictures Approved by Legion

The National Legion of Decency for the current week has approved 11 of 13 new pictures, seven for general patronage and four for adults, while two were classed as objectionable in part. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"Criminals Within," "Hands Across the Rockies," "Law of the Range," "Return of Daniel Boone," "Saddlemates," "The Saint's Vacation," "St. Therese of Lisieux" (French). Class A-2, Unobjectionable for Adults—"The Get-Away," "Man Hunt," "Men of the Timberland," "Paper Bullets." Class B, Objectionable in Part—"Out of the Fog," "Underground."

Establish New Cuban Gov't Picture Unit

HAVANA, June 16.—The Minister of Commerce has announced the organization of a new Commission of Coordination to handle the motion picture branch of his department.

Maria M. Garret, who handles Spanish publicity for Warners, was honored here at a dinner given for her by the Cuban Motion Picture Writers. Basilio de Armas, Warner manager here, also was honored.

Hollywood Review

"Moon Over Miami"

(*20th Century-Fox*)

Hollywood, June 16

THIS is another 20th Century-Fox excursion via Technicolor into the realm of gaiety and song with a bagful of names as invitation to the public to come aboard and go along. It is an enterprise in the format of "That Night in Rio" and similarly effective so far as musical content is concerned, although less sound as to story and more spotty as to humor.

For the marquee there are the names of Don Ameche, Betty Grable, Robert Cummings, Charlotte Greenwood, Jack Haley, Carole Landis and Cobina Wright, Jr., to name the principals. The Condos Brothers and Jack Cole and Company supply some vaudeville-type entertainment additionally.

Scene of the exercises is, of course, Miami, and if Miami were as fascinating as Technicolor and stagecraft make it seem to be, the Southern California Chamber of Commerce would be getting out an injunction to restrain distribution and exhibition of the film. No four-color travel literature ever said such nice things about a community.

The story, which gets out of joint occasionally and is pulled back into alignment with some difficulty, is about a girl who goes to Miami to catch a rich husband, and a rich man who turns out to be broke, and several other people who figure in the sort of plot which that much of it suggests. It suffices as a reason for the singing, dancing and didoes that are presented.

The film is best in its musical moments, of which there are many, all of them due to songs by Leo Robin and Ralph Rainger, whose score ranges from ballads to stomp routines. Dances staged by Hermes Pan are performed with grace and gusto, Miss Grable figuring importantly in this connection.

Production by Harry Joe Brown is lavish in the extreme, with Technicolor again adding tone and sheen to every shot of the camera.

Direction by Walter Lang is adequate, considering the material dealt with, which is light, sketchy and a bit lacking in comedy content.

Apart from the box-office names, emphasis in exploitation belongs on the musical side of the production. (Except in Florida, where native exhibitors know perfectly well what to do with a picture made as if by their own state committee).

Running time, 92 minutes. "G."*

ROSCOE WILLIAMS

"G" denotes general classification.

Sears Reveals W. B. July-August Films

Gradwell L. Sears, Warners general sales manager, yesterday announced the balance of Warner releases for July and August. The schedule now stands as follows:

July 5, "Kisses for Breakfast," with Jane Wyatt and Dennis Morgan; July 12, "The Bride Came C. O. D." with James Cagney and Bette Davis; July 19; "Bullets for O'Hara," with Joan Perry and Roger Pryor; July 26, "Bad Men of Missouri," with Dennis Morgan and Jane Wyman; August 2, "Three Sons O' Guns," with Wayne Morris and Tom Brown; August 9, "Manpower," with Edward G. Robinson and Marlene Dietrich; August 23, "Highway West," with Brenda Marshall and Olympe Bradna, and August 30, "Dive Bomber," with Errol Flynn and Fred MacMurray.

Warners' July releases were listed in the MOTION PICTURE DAILY RELEASE Chart of June 13.

Warner Outing Tomorrow

The annual Warner Club cruise up the Hudson will be held tomorrow with a 100 per cent attendance expected, according to Ralph Budd, in charge of arrangements. Home offices, therefore, will be virtually deserted.

Saybrook Theatre Files on Clearance

The second arbitration complaint filed at the New Haven local board was entered yesterday by the Saybrook Theatre, Saybrook, Conn., on clearance against RKO, Loew's and Warners. The complaint names the Garde and Capitol, New London, and the Essex, Essex, Conn., as interested parties, requesting that the Saybrook be permitted to play day and date with those theatres.

Cleveland Complaint Hearing Starts Today

CLEVELAND, June 16.—The Ellet Amusement Co.'s clearance and run complaint against all five consenting companies is scheduled for hearing at the local board here tomorrow. The only case of record at the local board, it was filed Feb. 15. Irving Cohen of the Paramount home office legal staff is here to represent that company at the hearing.

Delay Phila. Party

PHILADELPHIA, June 16.—The local industry will present a show at the Lakehurst, N. J., naval station on Thursday. Oscar Neufeld, of Horlacher's Film Delivery Service, is in charge of arrangements. As a result, local film row's annual "clambake," originally scheduled for Thursday at Schwenksville, Pa., has been postponed to June 26.

NSS Opens Its First National Sales Meeting

(*Continued from page* 1)

Inc., and National Screen Accessories, are represented.

Yesterday morning Dembow [illegible]nounced the winners of the Bea[illegible]r sales drive. In the first group Washington was the winner, followed, in order, by Seattle, Atlanta, Des Moines and St. Louis. The second group winner was Indianapolis, followed by Dallas, Memphis, Oklahoma City and St. Louis.

Today the NSS delegates will attend a luncheon at the Waldorf as guests of RKO, which is currently holding its annual sales convention at the same hotel. The afternoon session will be held jointly with RKO, when Ned E. Depinet, RKO vice-president, will announce the new season's product. Later the NSS men will be guests at the March of Time—RKO cocktail party at the Park Lane Hotel.

Those Attending

The list of those attending the NSS meeting, arranged alphabetically, follows:

From the home office and New York exchange, are: Leo Abrams, Paul Benjamin, S. Bram, William Brenner, Charles Casanave, R. Chosak, A. Cohen, H. Egert, B. Follette, J. Friedman, Toby Gruen, J. Hoffheimer, D. Hickey, M. Herschmann, A. Krim, V. Kaufman, S. Kassel, H. Kohn, J. Leo, L. Levin, J. Levy, W. Marcus, P. Mooney, D. Mitchell, S. Neal, Herman Robbins, A. Robbins, H. Reiner, H. Samwick, A. Stephanic, L. Schwartz, Milton Silver, A. Semels, L. Semels, H. Schlitt, Vincent Trotta, D. Velde, Morton Van Praag, D Wellington, L. Weinzimer, H. Young and J. Zimanich.

From the field, alphabetically arranged, are:

R. Alexander, F. W. Allen, A. J. Aronson, D. Bader, N. Barach, P. Barr, J. P. Barrett, D. Beckman, G. Bein, Wm. Bein, F. Beddingfield, J. Blum, E. Benjamin, Wm. Benjamin, H. Blackwell, L. Blaustein, A. Blumberg, H. Booth, J. Bruckner, R. Bryan, J. L. Boyer, C. Berns.

H. Cass, G. C. Clark, J. Cohen, R. Conway, A. C. Cowles, I. Clavet, E. J. Detwiler, R. Dial, C. DuRyk, J. Ester, A. Edman, J. Fagan, E. Feldberg, J. Fieldman, F. Fischer, J. Flannery, S. Goldberg, J. Goldstein, S. Goodlett, C. Gregory, M. Gurvitz.

E. Harrington, H. Harris, T. Harris, J. Hinson, G. Hoffman, J. Horowitz, R. Hurwitz, A. Jacobson, A. Kantor, J. Katzoff, E. Kaufman, L. Kendis, H. Kirchgessner, B. Lass, A. Lavendar, C. Lebedoff, C. Lester, H. Liebtag, O. Libros, M. Lindner, J. MacFarland, Wm. Mack, A. Madison, A. Manheimer, D. Maynard, J. R. McPherson, J. Mednikow, G. Mitchell, M. Morris, Jr., M. Morris, Sr.

G. Nathan, P. Nathan, C. Ost, L. Patz, A. Phillips, C. Powell, J. Powers, B. Pritchard, P. Rouda, H. Rabinowitz, R. Reid, N. Robbins, B. Robbins, M. Rosenblatt, L. G. Ross, C. Rudnick, P. Short, H. Silverberg, R. Simril, L. Smith, M. Smith, J. Salomon, C. Sokoloff, I. Sokoloff, E. Sonz, J. Stokvis, F. Stoloff, M. Starr, A. Sunshine, D. Sydney, B. Stern, W. Walthall, H. Washburn, H. Wenzel, B. Wolf, I. Wolfe.

B. A. Approves 'Dictator'

BUENOS AIRES, June 16.—The City Council has voted to permit the Charles Chaplin film, "The Great Dictator," to be shown here. The council overrode a ban of several months ago.

Hope Due Tomorrow

Bob Hope is due here tomorrow on a TWA Stratoliner from the Coast. He plans to go to Toronto for personal appearances.

W. B. Phila. Houses Drop Giveaways Due To 'Lack of Interest'

(*Continued from page* 1)

ing the premium on the spot. Lack of interest was apparent when the giveaway was placed on a club basis.

The end of the dish giveaway also is evident at the independent houses, though the pace is somewhat slower. An examination of the independent theatre directory in the *Evening Public Ledger,* which carries the largest list of all the local newspapers, shows that on a Thursday, a normal dish night, giveaways are offered at only 21 houses of the 115 listed.

MPTO Unit Backing Buffalo Games Fight

BUFFALO, June 16.—The MPTO of Western New York, has gone on record here as "heartily in accord with" Police Commissioner Austin J. Roche's "efforts to eliminate all 'games of chance' now being played in Erie Country."

A. Charles Hayman, managing director of the Lafayette and president of the MPTO, wrote to Roche, commending him for his stand on the question.

"Most of the theatres in Erie County have been forced into these games to counteract vicious competition by persons not connected with the theatre business," Hayman's letter read, "and the theatres stands ready to discontinue these games without any legal action on your part, providing these games are proven to be illegal."

Two theatres have obtained temporary injunctions restraining the police from interfering with the games. They were obtained by the operators of the Academy and the Gayety Theatres. The show cause orders are returnable Wednesday.

Exhibitors Protest Conn. Gambling Bill

HARTFORD, Conn., June 16.—Protests from all over the state are pouring into Gov. Robert A. Hurley, asking him to veto the "sneak" gambling bill, rushed through on the last day of the state legislature. The bill, it is believed, would provide a basis for resumption of wheel gambling at nearby Savin Rock and other beach resorts.

Since with local option it would grant annual permits to "any individual to operate games of hazard for which any merchandise may be given as prizes," exhibitors are uncertain as to interpretation regarding themselves with respect to theatre games. At present games are permitted only to civic and charitable organizations.

Play at Army Camp

PHILADELPHIA, June 16.—The local AGVA chapter, joining with the Entertainment Managers' Association, independent organization of agents, has taken over the jurisdiction of the military reservation at Indiantown Gap, Pa., and are sponsoring stage units to play at the camp. Two units, each comprising seven acts and a piano player, will be sent to the camp each week, playing one-night stands at the recreation halls at a 15 cent admission.

Feature Reviews

"The Big Store"

(M-G-M)

Hollywood, June 16

IN this, their announced last vehicle as a group, the Marx Brothers bid a riotous farewell. Using a large department store as background for their antics, they indulge in all the usual Marx antics, and discover new props on which to hang their gags.

In the first featured spot, Tony Martin sings "If It's You" and "Tenement Symphony," while, also on the musical side, Groucho indulges in a ditty entitled "Sing While You Sell," Harpo plays the harp and Chico the piano. For Groucho's numbers, all stops are pulled out, with dancing and choral work adding to the proceedings; but the interpolation which really stopped the show on preview night was Virginia O'Brien's deadpan swing rendition of "Rockabye Baby."

The story has Martin as a composer-singer who inherits a half interest in the store. Efforts to do away with him so that sale of his interest will not disclose juggled books provide an entrance for Groucho, who as "Wolf J. Flywheel," is a private detective. Virginia Grey provides romantic interest, coupled with Martin; Margaret Dumont is back again as Groucho's foil, an heiress, and Douglas Dumbrille is the villain of the piece. Henry Armetta and the Six Hits and a Miss are also in the cast.

Highlights of the humorous proceedings include a sequence in the store's bed department in which mechanical beds and six of Armetta's 12 children become involved to the detriment of Groucho's sleep, and a final chase in the Brothers' best manner, during which roller skates, store fixtures and bicycles are all grist for the Marx mill.

The picture was produced by Louis K. Sidney and directed by Charles Riesner, with all efforts devoted to the cause of laughter save for the serious musical interludes.

An audience found the picture much to their liking; roared spontaneously at many of the sequences, and evinced only a slight restlessness at the picture's length.

Running time, 82 minutes. "G."* W. S.

**"G" denotes general classification.*

"No Greater Sin"

(University Film Prod.)

HAVING as its main purpose a pictorial presentation of the fight against syphilis, "No Greater Sin" utilizes a melodramatic story in its effort to dramatize its "message."

As a melodrama, it is not all that might be hoped for in direction, acting or story, and as a social document, which it remains, it is not entertainment and is not suitable for general audiences. Not that it will offend the young, for the presentation of its main subject is in no wise offensive. There remains the question whether the entertainment screen is the proper forum for social hygiene discussion.

The locale of the story is a rapidly growing community having defense industries which have attracted migratory workers, and a new military camp nearby. One of the migratory workers, about to marry a local girl, learns that he has syphilis, is treated by a "quack" doctor and pronounced cured, proceeds with his marriage and, after his wife becomes pregnant, learns that he is still a victim of the disease and has communicated it to his wife. After denouncing the fake medico, the youth strikes a blow in self defense which results in the death of the quack. Reluctant to reveal the reason for the slaying, the youth confesses to murder but the truth is developed at the trial and and he is acquitted.

Individual showmen who best know what their patronage will pay to see without resentment should see this picture before booking it and decide for themselves whether it is for their screens, since it cannot be recommended as entertainment for general exhibition. Selling the picture demands the same individual exercise of discretion on the part of the exhibitor. Perhaps civic or medical authorities in some localities could be interested in sponsoring its showing.

"No Greater Sin" is presented by Edward A. Golden and produced by Jeffrey Bernerd. William Nigh directed. In the cast are Leon Ames, Luana Walters, John Gallaudet, George Taggart and Adele Pierce.

Running time, 82 minutes. "A."* (Previewed without Production Code Seal.) SHERWIN A. KANE

**"A" denotes adult classification.*

Balaban Talks In Toronto on Role of Films

(*Continued from page* 1)

president and general counsel, discussed the effect of the New York consent decree on Canadian operations, emphasizing that exhibitors everywhere may expect better product as a result.

Neil F. Agnew, vice-president in charge of distribution, outlined the company's new season production. Short subjects plans were discussed by Oscar Morgan, short subjects sales manager, and Robert M. Gillham, advertising and publicity director, discussed advertising plans.

Stanton Griffis, chairman of the Paramount executive committee, who was scheduled to speak, was grounded en route to Toronto from New York. Del Goodman, Canadian sales manager, presided at the sessions.

Leonard Goldenson, Paramount theatres head, and Sam Dembow, theatre department executive, are attending.

The company was host to more than 100 exhibitors and newspaper representatives at a luncheon today. Among the prominent exhibitors present were J. J. Fitzgibbons, head of FPC, and his aides; Nicholas Ganetakos of United Theatres, Montreal; Jules and Herb Allen, Toronto; Morris Milligan, Hamilton; Simon Moretsky, Windsor, and Jack Ward, Niagara Falls.

Screenings of new product will occupy the delegates tonight. Tomorrow will be devoted to discussions of sales plans and further screenings. Balaban left here tonight to attend the annual meeting of Paramount stockholders in New York tomorrow.

Taylor Makes Deal To Operate for FPC

TORONTO, June 16.—N. A. Taylor, head of 20th Century Theatres, Toronto, officially announced tonight he had made a deal with Famous Players Canadian "to operate a group of theatres for Famous Players, but no sale of theatres is involved."

Taylor said the exact number of houses involved is not yet determined but that it might be 20. He said he would have no executive title.

The Taylor interests recently opened the Midtown in Toronto, but no additional houses are to be built, he said, because of war restrictions on materials. Taylor previously had been linked with N. L. Nathanson in the formation of the new Odeon Circuit, but Taylor said tonight he knew nothing of Nathanson's plans.

Meanwhile it is reported that Nathanson has closed a partnership deal with Don Stapleton for the Centre and Westboro at Ottawa, where the Rexy and Nola are already lined up. Odeon also has acquired two theatres in Hamilton, Ont., owned by Les Gregory.

Korda Signs 14-Year-Old

Alexander Korda has announced that he has signed Patricia O'Rourke, 14 years old, to play the role of Mahala opposite Sabu in "The Jungle Book," to be released by United Artists.

Air in 'Terror' Of Commission Paley Asserts

WASHINGTON, June 16.—"A state of terror" literally exists in the radio industry today, William S. Paley, president of CBS, told the Senate Interstate Commerce Committee today, attacking the FCC network regulations. The "terror" exists, he said, as a result of the uncertainty which prevails because "the commission, disregarding the ancient prerogative of due process, has chosen to act as complaining witness, prosecutor, judge, jury and hangman."

William Paley

Paley told the committee that with the development of Frequency Modulation, it may be possible to have as many as 14 networks.

He urged passage of the White resolution for an inquiry by Congress of the FCC.

Revision of the Communications Act to provide for the licensing of networks and regulation by a commission divorced from the common carrier field was urged upon the committee by Paley.

Attacking the network regulations, Paley declared that present methods of control will never give the radio industry a feeling of security, and the law should be revised so as definitely to define the powers and duties of the commission and make compulsory equal treatment by stations of speakers on both sides of controversial issues.

In issuing its regulations, he charged, the commission "seems to have been obsessed in its whole thinking by the fact that it is radio stations and not networks that hold the licenses" and that in some way the success of the chains has been improper.

The industry, he said, is "not recalcitrant and not defiant" and "we are perfectly willing to abide by the decision of Congress if it will only make an unprejudiced examination of all the facts and then tell us the answer."

"The very fact that in the things it seeks to do right now the commission seems to find it necessary to slip through the back door and strike at us through the licensing power it holds over our affiliated stations is proof that there is something inadequate in the statute itself," he declared.

Meanwhile, NBC which on May 2 was ordered by the FCC to dispose of one of its two networks, will have additional time to do so under an amended ruling. The FCC order may be extended from time to time.

Off the Antenna

KOB, Albuquerque, N. M., NBC-Blue outlet, will increase its network rate beginning July 15 from $120 to $160 per evening hour, according to an announcement yesterday by William S. Hedges, NBC vice-president in charge of station relations. The station operates on 50,000 watts.

• • •

Purely Personal: *Ernie Watson, NBC orchestra leader, will provide the music for "Reg'lar Fellers," the Summer replacement for the Jack Benny show over NBC-Red. . . . Jose Santos Quijano has joined the CBS short wave staff as Spanish announcer and commentator for musical and cultural programs. . . . Ed Greif left over the weekend for a two-week vacation in the Adirondacks. . . . Abe Lyman has been signed for a five-year contract by Procter & Gamble on his program "The Jewish Homemaker Sings" on WBNX. . . . Adolph Schneider, NBC news writer, became father of an eight-pound boy Friday. Mrs. Schneider is at the French Hospital. . . . Frank Kizis, secretary to William S. Paley, CBS president, won permanent possession of the Lawrence W. Lowman golf trophy at the network's annual tournament Sunday at the Lakeview Country Club, Tuckahoe, N. Y. Other low scorers were Andre Baruch and Al Rinker. . . . Arthur Hull Hayes, general manager of WABC, and Mrs. Hayes became the parents of their third child, a girl, Mary Ann, on Sunday.*

• • •

WINC, Winchester, Va., will join NBC-Blue Saturday as a bonus outlet. The station is owned by Richard Field Lewis, Jr., and operates on 1,400 k.c. with 250 watts. The cut-in rate will be $6 nights and $3 days.

• • •

Another prize contest has been launched over the air but this one requires no box-tops. The Province of Ontario which sponsors the "Ontario Show" over 52 CBS stations Sundays 5:30-6 P. M. is offering all-expense-paid vacations of one and two weeks for the best letters on "Why I Should Like to Spend My Vacation this Summer in the Province of Ontario."

• • •

Program News: *Beginning June 24, CBS will short-wave two Lewisohn Stadium concerts to Latin America each week. . . . WINS' "Reward for Listening" has increased its time to* 45 *minutes,* 6:30-7:15 *P. M. daily except Saturday. Dayton Allen is now handling the show. . . . California Packing Co. has renewed for 39 weeks the* 11-11:15 *A. M. period of "Make Believe Ballroom" over WNEW Mondays through Saturdays. The sponsor has taken the period since January,* 1940. . . .*Xavier Cugat's weekly NBC broadcast to Latin America, "Inter-American Music," will be heard Thursdays* 10:15 *to* 10:45 *P. M.*

• • •

Preparing for the October shift in network affiliations in Pittsburgh, KQV has begun airing five NBC-Blue programs and KDKA started taking NBC-Red shows. WCAE also prepared for the shift by starting to broadcast Mutual programs. Observers in Pittsburgh believe that the FCC monopoly regulations may complicate the picture there still further in the Fall.

DuMont Weighs Entry Into Theatre Television Field

(*Continued from page* 1)

ards without charge, he said. The new DuMont plant will open in Passaic July 15. Some of the sets have been in use for two years and it is likely that they will require new parts and tubes in addition to adjustments. There are about 500 receivers in the DuMont warehouse.

Studio facilities are being used at full capacity to test programs, DuMont stated. A mobile unit equipped for outdoor pickups is being considered.

Although the DuMont Laboratories are a Paramount affiliate, DuMont declined to discuss the availability of films for his station. "Arrangements are being made," he said cryptically, but declined to elaborate. He stated, however, that films were available from sources other than Paramount.

RCA to Adjust Television Sets Here Under New Rules

RCA Manufacturing Co. announced yesterday that all RCA television sets in the New York area will be adjusted to conform to the new television standards, when commercial broadcasting begins July 1, under the new FCC rules.

NBC, it was indicated yesterday, has filed applications with the FCC for commercial television stations to be operated in New York, Washington and Philadelphia.

The Washington transmitter, W3-XNB, is expected to begin testing in November, and be ready for commercial service next March. The Philadelphia station is expected to be in operation by July, 1942. The New York station, W2XBS, has been in experimental operation since 1936, and will be ready to telecast commercially July 1.

Weiss & Geller Gets Columbia Ad Account

Weiss & Geller, Inc., advertising agency, has been designated to handle the Columbia Pictures account, effective immediately. The Biow Agency formerly had the account. Max Geller is head of Weiss & Geller.

Roadshows on WHN

Broadway legitimate roadshows at the New Central Theatre, Cedarhurst, L. I., are presenting plays weekly on WHN, Monday evenings.

Secret Transmitter Captured in Mexico

Mexico City, June 16.—A radio transmitter suspected of having sent information to totalitarian Governments was seized at the home of Edward Vanderfield, an American, who was held today. Secret Service agents who made the raid, have long been baffled by the systematic interception of messages from Federal stations and their transmission to Axis countries. Maria Luisa Yarse, a radio operator, was also arrested. Both are held without bail.

Radio Employed 21,646 Last Year

WASHINGTON, June 16.—Average weekly employment in the broadcasting industry last year—exclusive of talent employed by sponsors—was 21,646 full-time and 4,007 part-time workers, it is shown by figures compiled by the FCC.

The weekly payroll for full-time workers was $1,020,348 and an additional $110,144 was paid part-time employes.

Full-time employment showed an increase of 1,773 persons over the 1939 average of 19,873, and the full-time payroll showed an increase of $107,295, the commission reported. The figures were based on returns from 765 standard stations, three major networks and six regional chains.

Average executive pay $84

The average compensation of station executives was $84.69 per week, an increase of $4.99 over 1939, while for other employes it was $37.97, an increase of $1.33. On the networks, executives received an average of $251.68, an increase of $21.19, while other employes averaged $57.55, a decrease of 64 cents.

Allocating network employment between nets and stations owned by them on the same basis as revenues and expenses are allocated, the commission reported that NBC employed 47 executives and 2,051 employes; CBS, 55 executives and 1,562 employees; and Mutual seven executives and 40 employes.

On the average, clear channel stations employed 70 persons, regional stations 32 and local stations 13, it was said, and a greater number of employes was found per station in the urban centers than in the rural areas and in the Northeast than in the South.

Reck Awarded $1,447 Additional from Kaye

N. Y. Supreme Court Justice Samuel I. Rosenman yesterday granted an application of Norman E. Reck for an additional $1,447 to be imposed against Sammy Kaye, orchestra leader, as punitive damages for alleged violation of Federal Wage-Hour laws.

Reck as a former employe had secured a ruling of the court that orchestras engaged in radio broadcasting were subject to interstate commerce regulations. The amount granted is in addition to the original judgment of $1,947 for overtime, awarded under a ruling that Kaye had failed to comply with the wage and hour laws.

Short Subject Reviews

"Here Comes the Cavalry"

(Warners)

Warners' service shorts, which already have included the Navy, Marines and the Army, now turns to the cavalry. This latest in the series, Valor, although tending to be over-sentimental in story and in one instance melodramatic is nonetheless most interesting. It follows the experiences of a young rodeo rider who joins the cavalry for the sole purpose of being with his favorite horse, which was bought at auction. Exciting battle maneuvers during which he rescues the captain's son from the path of dashing horses and finally a review in his honor provide the climax. Photography is of the best and makes the colorful short all the more effective. Running time, 20 mins.

"Sail Ho"

(Warners)

A "Sports Parade" short in natural color, this concerns sailing mostly and has a light continuity worked in. An apathetic husband and eager wife look over a group of boats and follow a sloop race. Knox Manning delivers a brisk commentary. Nautical enthusiasts should be delighted but for others it is of average interest. Running time, 10 mins.

W. B., Loew's Handle U. S. Farm Picture

Warners and Loew's are sharing the expense of release gratis to exhibitors in the Northeastern section of a 30-minute subject, "Harvests for Tomorrow," produced by the U. S. Department of Agriculture.

The film, a documentary on soil rehabilitation, is designed for showing only in the area where such methods pictures are practicable. Frank Craven provided the commentary. It will be available for three months after the July 1 release date. Warners are handling the film from exchanges in Buffalo, Albany, Philadelphia, Pittsburgh and Washington, while Loew's will handle it through the brances in New York. Boston and New Haven.

Reduce Kridel Bail In Newark Arrest

NEWARK, June 16.—Bail of Harry A. Kridel, operator of the Mayfair here, today was reduced from $25,000 to $15,000 by Prosecutor Wachenfeld of Essex County. Kridel is charged with conspiracy to defraud the Stanley Theatre Co., and Warner Pictures. He was arrested Saturday and pleaded guilty.

Name Dallas as 1942 AFM Convention City

SEATTLE, June 16.—Dallas was selected as the city for the 1942 convention of the American Federation of Musicians at the final session of the convention here over the weekend.

RKO Screens First Block At Sales Convention Here

(Continued from page 1)

Swanson, Adolphe Menjou, Desi Arnaz, John Howard, Helen Broderick and Florence Rice.

"Before the Fact," with Cary Grant and Joan Fontaine, and directed by Alfred Hitchcock.

"Parachute Battalion," filmed at Ft. Benning, Ga., with Robert Preston, Nancy Kelly, Edmond O'Brien and Harry Carey in the cast.

"Lady Scarface," with Dennis O'Keefe, Frances Neal and Judith Anderson, completes the block.

Screenings of the new product will continue this morning and tomorrow for the convention sales force.

Depinet to Detail Program

Ned E. Depinet, vice-president in charge of distribution, will outline the production plans for the entire season at today's session and is expected to inform the men that a second block-of-five features, and possibly more, will be ready for trade showings before the new season officially opens Sept. 1.

At the afternoon session Depinet and A. W. Smith, general sales manager, will instruct the men on RKO's new sales procedure and policy. George J. Schaefer, RKO president, is scheduled to address the convention today.

Smith, addressing yesterday's session, said that up to last June 6, the company had written a total of 10,899 contracts this season, the largest in its history and 924 more than in 1936-'37, its best previous year. Weekly shipments for the first 23 weeks of the year also reached a new high, he said, totaling 54,322 more than in the comparable 1939-'40 period.

With four exchanges and 19 salesmen in the 100 per cent class this season, and 65 salesmen in the 90 per cent class, the company's over-all performance averaged 93.8 per cent, Smith said.

Greater Field Responsibility

He informed the men that greater responsibility than ever before will be placed in their hands under the new selling system.

Cresson E. Smith, Western sales manager, described the results of experimental selling of blocks of five in the Midwest territory. Robert Mochrie, Eastern sales manager, instructed the men to obtain dates at the time of selling the blocks. He forecast the best theatre business since 1929 for next Fall and Winter, and said that the new method of selling would give a fairer share to distributors than ever before.

Michalson on Shorts

Harry Michalson, short subjects sales manager, described the results to date of the selling of shorts "on their own." The RKO sales force has been selling the new season shorts schedule since January and, Michalson reported, results for the first five months exceed those for any corresponding period in the company's history.

The short subjects list includes: 18 Walt Disneys; 13 issues of March of Time; 13 Information Please, 16 two-reel subjects, 104 issues of Pathe News, 13 Sportscopes and 13 Picture People.

In addition to Schaefer, who was unable to attend the opening session yesterday, and Depinet and Smith, today's speakers will include Herman Robbins, president of National Screen Service, which, also in convention at the Waldorf, will participate in a joint luncheon meeting with the RKO forces today; S. Barret McCormick, RKO advertising and publicity director; Terry Turner, exploitation manager, and Perry Lieber, studio publicity director.

The delegates will be the guests of March of Time at a cocktail party this evening.

100 Per Centers' Awards

The four branch managers and 19 salesmen in the 100 per cent classification who were given awards by Depinet yesterday are: R. V. Nolan, St. Louis manager; A. M. Avery, Memphis manager; H. F. Taylor, Montreal manager, and B. Pitkin, New Haven manager, and the following salesmen: Sam Gorelick, Chicago; Harry Decker, Montreal; E. J. Epstein, Philadelphia; Mark Raymon, St. Louis; Tom Williamson, St. Louis; L. S. Gruenberg, St. Louis; Frank Ross, Boston; Morey Anderson, Milwaukee; R. V. Reagin, Memphis; W. G. Wray, Memphis; Arthur Goldsmith, Cleveland; Roy Branon, Charlotte; H. B. Miller, Montreal; Harry LaVine, Cleveland; James Lewis, Kansas City; William Canelli, New Haven; Gifford Davison, Salt Lake City; L. L. Goldsmith, Seattle; R. H. Lange, Pittsburgh, and Jack Ellis, New York.

Special prizes to outstanding salesmen in the annual Depinet drive were awarded to: Roy Branon, Charlotte; Jack Chinell, Buffalo; H. Decker, Montreal; W. C. Winters, Minneapolis; C. J. Wheeler, Dallas; G. Davison, Salt Lake City; Lou Kutinsky, New York; F. L. Drentlinger, Indianapolis; M. Lefko, Pittsburgh; M. Anderson, Milwaukee, and J. Rubinstein, Los Angeles.

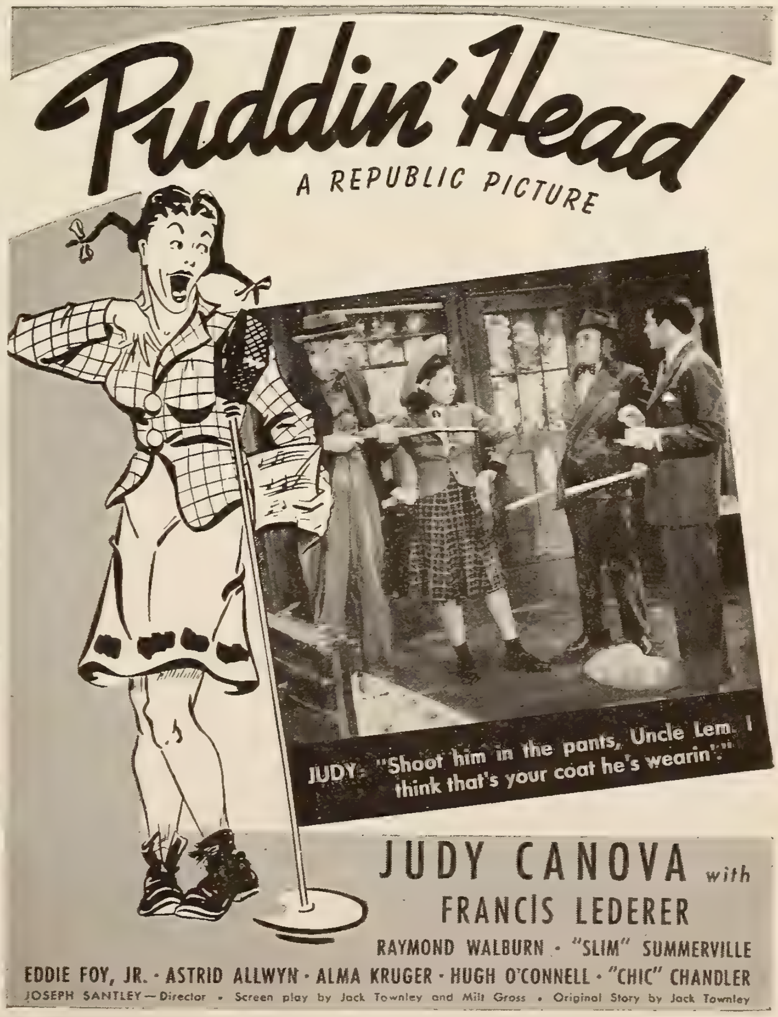
New Orleans Branch Winner

The New Orleans branch was named winner of the Depinet drive capital award, under P. M. Baker, branch manager. Other exchanges finished in the following prize order: Atlanta, H. M. Lyons, manager; St. Louis, R. V. Nolan, branch manager; Oklahoma City, R. B. Williams, manager; Washington, R. J. Folliard, manager.

The Southeastern district, David Prince, manager, led the eight districts, and the Canadian division, headed by Leo Devaney, captain of the drive, topped the Eastern and Western divisions.

Hoffberg Gets Film

J. H. Hoffberg has acquired distribution rights to the film, "Bride of Buddha." It will be released shortly.



Puddin' Head
A REPUBLIC PICTURE
JUDY: "Shoot him in the pants, Uncle Lem. I think that's your coat he's wearin'."
JUDY CANOVA with
FRANCIS LEDERER
RAYMOND WALBURN · "SLIM" SUMMERVILLE
EDDIE FOY, JR. · ASTRID ALLWYN · ALMA KRUGER · HUGH O'CONNELL · "CHIC" CHANDLER
JOSEPH SANTLEY—Director · Screen play by Jack Townley and Milt Gross · Original Story by Jack Townley

The Old Percentage!

You've got a year-round busine
Do a year-round selling-job. The percentage is in your favor.

% % %

Campaign your house . . . campaign your lobby . . . display your theatre as the best place in town to spend an evening no matter what picture you've got. But get some enthusiasm into it . . . as though you believed it yourself.

% % %

Bright, colorful display . . . shining with promise . . . that's how to do it.

% % %

For there never has been so much "come-hither" in Theatre Advertising as you find today in the Three Best Seat-Sellers.

% % %

*Sparkling with showmanship.
*Sparkling with selling-flair.
*Sparkling with sales-appeal.

% % %

Go over the line item by item. You'll find *ticket-selling-helps* you'd never even think of unless brought to your attention. Many of them ridiculously low in price . . . but big in result-getting.

% % %

Yes, sir! . . . The percentage is in your favor when you buy Trailers . . . Lobby Displays and General Accessories from

NATIONAL SCREEN SERVICE
Advertising Accessories, Inc.
NATIONAL SCREEN ACCESSORIES

. . . Prize Baby of the Industry!

DO NOT REMOVE

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

V[illegible]49. NO. 118 NEW YORK, U. S. A., WEDNESDAY, JUNE 18, 1941 TEN CENTS

8-Hour, 5-Day Week Seen for Coast Studios

Producers Make Proposal To IATSE Locals

HOLLYWOOD, June 17. — Studios may go on an eight-hour five-day week, it was indicated today in preliminary negotiations of IATSE locals with producers for new wage scales and working conditions. Pat Casey and Fred Pelton, producers' labor officers, proposed such a work period at a meeting today with IATSE business agents who called to take up a 16-point program of demands.

Limitation of the work week to 40 hours would put the industry within the bounds set by the Wages and Hours Act, but whether shooting

(*Continued on page* 4)

Wheeler Blames Radio for Crime

WASHINGTON, June 17.—Chairman Burton K. Wheeler of the Senate Interstate Commerce Committee charged today at the FCC hearings that radio is repsonsible for the increase in crime. "I am not a purist but I feel that a lot of the stuff that is going over chain broadcasting is just wrong," he declared.

"I am trying to appeal to the radio industry to cut out this dime novel stuff which I think tends to break down the morals and make criminals of boys and girls in this country," he continued.

Mindful of complaints from his state that small stations would not get chain

(*Continued on page* 10)

Sparks Due Here To Set Para. Deal

E. J. Sparks, Frank Rogers and Fred Kent are expected here Monday from Florida to arrange for the formal closing of the deal whereby Paramount is to acquire the 40 per cent interest of Sparks in the All-Florida Circuit.

Sparks, according to report, will receive $1,350,000 for his 40 per cent stock interest in the circuit.

Leonard Goldenson, Paramount the-

(*Continued on page* 4)

RKO Plans 40-45 Pictures For New Season's Program

Breen's Resignation From PCA Effective

Joseph I. Breen's resignation as Production Code Administration director became effective yesterday when he signed his contract as head of RKO studios, which had been negotiated with George J. Schaefer, president. A statement by the MPPDA said that Geoffrey Shurlock, senior member of the PCA board in Hollywood, will continue temporarily as acting director. Will H. Hays from his home in Sullivan, Ind., expressed regret at Breen's resignation and emphasized that the PCA operates as a board and its functions will be undisturbed.

Announcing plans to produce 40 to 45 features for new season release, RKO yesterday identified a total of 44 possible productions, exclusive of a new series and six Westerns.

Joseph I. Breen, administrative head of the studio, will be presented to the RKO forces for the first time at today's convention session. He may accompany George J. Schaefer, president, to the Coast, when the latter leaves on Friday, as planned.

Fifteen of the new season's productions will be contributed by outside producers, it was announced. Several Sam Wood productions, tentatively scheduled for announcement, were eliminated from the list yesterday when negotiations with the producer were not completed.

The company's short subjects scheduled, made known earlier, includes

(*Continued on page* 9)

UA Will Hold First Regional Monday

United Artists will hold the first of five regional sales conventions at the Waldorf-Astoria Hotel here next Monday and Tuesday.

The subsequent meetings will be held at the Roosevelt Hotel, New Orleans, June 26 and 27; at the Netherland Plaza Hotel, Cincinnati, June 29 and 30; the Congress Hotel, Chicago, June 30, July 1 and 2, and at the St. Francis Hotel, San Francisco, July 7 and 8. Arthur W. Kelly, acting chief executive; Harry L. Gold, Eastern general sales manager, and Haskell M. Masters, Western gen-

(*Continued on page* 4)

Selznick Here for Conference on UA

David O. Selznick arrived here yesterday from the Coast for a series of conferences on his future plans. It is expected that he will make a decision regarding his affiliation with United Artists within a few days.

The transaction under which he and Frank Capra will come to United Artists as owner-producers is being handled by lawyers in California and may take about two weeks to complete. It is understood also that Selznick wants to make sure of the administrative setup of United Artists before joining the company.

60% of Increased Sales Cost Under Decree Already Absorbed: Balaban

Paramount has absorbed more than $500,000, or 60 to 70 per cent, of the anticipated increase in sales costs under the consent decree in preparation for the decree selling method, since the first of the year, Barney Balaban, Paramount president, told the stockholders' meeting yesterday.

Discussing operations under the decree, Balaban said they will require increased personnel and possibly expanded advertising costs as well.

Balaban stated that the possible irregularity of the flow of product in the industry as a whole under the decree system, together with higher costs of outstanding pictures, may make it impossible for double features to be continued in some situations. Because of this, he said in reply to a stockholder's question, there is a better chance of eliminating duals under the decree than there has been heretofore.

He reported that Paramount has eight or nine new season productions completed and ready for screening.

Para. Theatre Operations Up, Says Balaban

All Directors Reelected By Stockholders

Barney Balaban

Paramount theatre operations nationally for 1941 to date show an improvement over the same period last year and increasing theatre receipts may reasonably be expected as the national defense program progresses, Barney Balaban, Paramount president, stated yesterday in his report to the company's stockholders at their annual meeting at the home office.

All 16 Paramount directors were

(*Continued on page* 4)

Para. 6-Month Net Seen at $4,000,000

Paramount's earnings for the first half of the current year will be in excess of $4,000,000, Barney Balaban, president, indicated to company stockholders at their annual meeting here yesterday.

The indicated half-year result compares with earnings of $3,084,000 for the corresponding 1940 period.

Paramount's earnings for the first 1941 quarter were $2,475,000, and

(*Continued on page* 4)

'Sergeant York' to Open at Astor July 2

Gradwell L. Sears, general sales manager of Warner Bros., announced yesterday that "Sergeant York," starring Gary Cooper, will open a two-a-day run at the Astor on Broadway on July 2, following the present run of "Major Barbara."

The company has under way an extensive campaign on behalf of the film, the announcement stated. The picture is a Hal B. Wallis - Jesse L. Lasky production.

A specially designed animated sign

(*Continued on page* 4)

Coast Flashes

Hollywood, June 17

DUKE CLARK, manager of the Paramount branch in Los Angeles, has been named chairman of a temporary committee to arrange for the formation of a Variety Club here. The group will ask the national organization for a charter embracing all of Southern California. John H. Harris, national Chief Barker, left tonight for New York by plane after conferences.

•

Mrs. Leo B. Hedges, motion picture chairman of the California Congress of Parents and Teachers, today telegraphed Robert H. Poole, executive secretary of the Pacific Coast Conference of Independent Theatre Owners, placing her organization on record against double features. Mrs. Hedges said that four-hour shows fatigue working people, cause antagonism toward the industry and result in agitation for legislation. The Congress has 250,000 members.

•

Walt Disney today was given a counter offer by cartoon workers to end the strike at the studio, now in a third week. Rejecting Disney proposals, the strikers want a 100 per cent guild shop, unqualified return of all workers dismissed since May 15 and an NLRB sponsored election, provided first that the 'company union' charges against the American Society of Cartoonists be disposed of.

Personal Mention

WOLFE COHEN, Warner district manager in Canada, arrived from Toronto yesterday for conferences with home office executives.

•

ROBERT LYNCH, Philadelphia branch manager for M-G-M, was in town yesterday.

•

AUSTIN C. KEOUGH, Paramount general counsel, will return to Toronto tomorrow.

•

E. Z. WALTERS, Altec Service comptroller, has returned from Los Angeles.

•

MARY ALICE GIBBONS, grandniece of the late M. E. COMERFORD, circuit operator, will be married Saturday to JOHN EMMETT HART in Scranton.

•

WILLIAM E. PINE, manager of the Darien, at Darien, Conn., has returned from a fishing trip to Maine.

•

HENRIETTA VARBALOW, daughter of SAMUEL VARBALOW, Philadelphia and Camden, N. J., exhibitor, will be married June 22 to DR. CHARLES H. KRAVITZ.

•

HAROLD BRASEN, manager of the Lindley, and JOSEPH NEVINSON, manager of the Bromley, both Philadelphia, and AL ALLEN of Warner Theatres there, will leave for the Army soon.

JOHN W. HICKS and RUSSELL HOLMAN of Paramount left for the Coast last night.

•

ART SCHMIDT, M-G-M publicity manager, leaves the studio for New York today.

•

LEON NETTER, Paramount theatre executive, has left on a 10-day trip to the South.

•

ARTHUR GREENBLATT, general sales manager of Producers Releasing Corp., returned yesterday from the Coast.

•

ESTHER JABLOW, secretary to GEORGE A. SMITH, Paramount Western division manager, will be married on Sunday to ABRAHAM LEBOWITZ. They will visit Tennessee on their honeymoon.

•

LOU ABRAMSON, secretary of Allied of Illinois, has returned to Chicago from a California vacation.

•

LEONARD SEAMON, manager of the Hippodrome, Baltimore, has returned from a two-week Florida and Cuba vacation.

•

ROBERT GROSSMAN, manager of the Avon Theatre, Providence, and BETTY LEVINE will be married there July 6.

•

RUTH GOLDBERG, cashier at the RKO New Haven exchange, is vacationing in Atlantic City. On her return she will marry MAURICE SHULMAN, Connecticut exhibitor, at New Haven.

•

E. J. LORENZ, manager of the Marion Theatre, Marion, Ia., and MARGARET A. STONE of Des Moines will be married on July 2.

•

MARY CALDEVILLA, secretary to CHARLES ZAGRANS, RKO Philadelphia branch manager, will be married June 27 to HAROLD METZ of Washington.

•

JOSEPH SKONJIECKI, projectionist at the Family Theatre in Glen Lyon, Pa., became the father of a girl, his first, the other day.

20th-Fox Organizes New Promotion Unit

A field exploitation staff, reported as numbering nine men, to cover the country permanently, has been established by 20th Century-Fox, under direction of Rodney Eush. An early announcement by the company is expected to reveal the names of the men and the territories in which they will operate. Some of the personnel are old hands at the trade.

Schneider Is Named Executive of Agency

William H. Schneider, art director of Donahue & Coe, Inc., advertising agency, has been elected a vice-president. The scope of Schneider's activities will be broadened to include important special executive assignments.

CALIFORNIA

VIA

AMERICAN'S SOUTHERN ALL-YEAR ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

Newsreel Parade

MOST of the new subjects, as in recent previous issues, have a bearing, either directly or indirectly, on defense and the war. In addition to these the reels include the Harvard-Yale crew race in New London, Conn. The reels and their contents:

MOVIETONE NEWS, No. 81—U. S. takes possession of Danish ships in New Jersey. *Zamzam* survivors in Spain. Red Cross distributes food in France. New airport opens in Washington. Stone appointed Chief Justice. Army uses wind machines in Illinois tactics. Pelicans in California. Man-made lightning demonstration in New York. United Hunts Meet in Long Island. Harvard-Yale race. Women's golf tournament in Cincinnati.

NEWS OF THE DAY, No. 279—The U. S. takes over Danish ships in New Jersey ports. West Point of Air trains recruits at Randolph Field, Texas. Safety from lightning demonstrated in New York. Wind machine trains pilots at Joliet, Ill. U. S. feeds starving French. Japanese-Russian neutrality pact signed. Jack Benny in defense drama. United Hunts Meet on Long Island.

PARAMOUNT NEWS, No. 84—Harvard-Yale race. Princess Juliana in Ontario. Prince Bernhard in Boston. Stone named to Chief Justice post; Jackson and Byrnes elevated to Supreme Court. LaGuardia with defense uniforms in New York. Dedicate airplane engine factory in Cincinnati. Army studies glider maneuvering in Illinois. Cuba sends film award to Bob Hope and Paulette Goddard in Hollywood. Washington orders German consulates closed. Danish ships seized. *Robin Moor.*

RKO PATHE NEWS, No. 84—Danish ships taken in New Jersey. Supreme Court posts filled. Ground broken in New Jersey for first U. S. O. club. Dutch royalty in New England. New York boy scouts mourn Dan Beard. British ship in Rio port. Washington air terminal opens. U. S. army pilots learn gliding in Illinois. LaGuardia and defense uniforms in New York. Fort Lee, Va., troops, donning gas masks, play ball. Harvard-Yale race.

UNIVERSAL NEWSREEL, No. 989—*Robin Moor* passengers safe. Supreme Court appointees. New York defense workers get uniforms. New Capital airport. Dedicate engine factory in Ohio. Army learns glider flying in Ohio. Rose festival in Portland, Ore. Philadelphia pays tribute to the flag. Harvard-Yale race. Rodeo in California.

Klinger Is 20th-Fox Story Editor's Aide

Henry Klinger has been named assistant story editor of 20th Century-Fox by Bertram Bloch, newly appointed story editor of the company.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)
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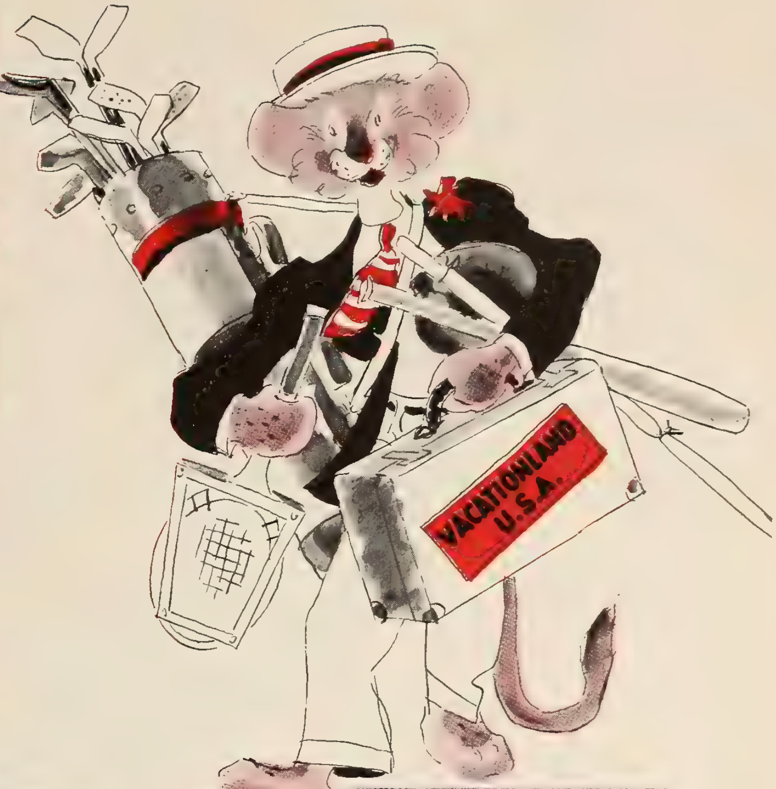
HOW TO BEAT THE SUMMER!


VACATIONLAND U.S.A.

Leo's an old hand at competing with the hot weather and the distractions of vacation-time. As in previous years he's got a sure-fire policy: BIG ATTRACTIONS! And as in previous years it's the lucky M-G-M showmen who have the shows to beat the good old summer-time!

"And I'm treating the whole family to 'Life Begins for Andy Hardy.' Judy Garland's back with Mickey and the gang!"

After the game there's a big thrill ahead: Bob Taylor in the Technicolor "Billy The Kid."

Tonight they'll want a gay show like Powell and Loy in "Love Crazy."

"Hey mister! Take me to see Clark Gable and Rosalind Russell tonight in 'They Met in Bombay'."

The perfect end of a happy day! An uproarious comedy with gals and song! Marx Bros. and Tony Martin in "The Big Store."

"After this we'll go to that new Wally Beery picture 'Barnacle Bill'."

"Remember! You promised to take me to 'Ringside Maisie.' We had such fun at the last Ann Sothern picture!"

FRIENDLY *in the Summer too!*

Para. Theatre Operations Up, Says Balaban

(Continued from page 1)

reelected at the meeting, at which more than 4,200,000 votes, or 77 per cent of the shares outstanding, were represented. The annual meeting of the board will be held tomorrow, at which time all officers are scheduled to be reelected.

Amplifying his statement that Paramount's theatre operations this year show an improvement over last year, Balaban said:

> **"Much has been said in current publications about depressed conditions at the box-office. Our experience at our theatres leads us to believe that where the theatre has had access to a product which has more so-called 'escape' pictures (that is those of pure fun and entertainment as contrasted with those emphasizing the gravity of life and the current situation) it has done relatively better than last year.**

"There has been no response at the box-office as yet in proportion to the increased industrial production. It is hoped that the box-office will finally respond to such increased defense production as it did in England and Canada."

Subsequently, in replying to questions put by stockholders, Balaban expressed the opinion that the reported decreases in theatre attendance are "geographical" rather than general. He asserted that Paramount's widespread theatre operations, taken as a whole, overcome localized recessions and show a slight gain this year over last year. That improvement in theatre earnings, however, has been offset by increased taxes, Balaban said.

Cites Higher Tax Rate

He pointed out that the earnings figures given for this year are after deducting income taxes at the rate of 30 per cent of the net profits, "a much higher rate than was used last year," he said.

Foreign revenues for 1941 to date, Balaban reported, are slightly below those for 1940, "but some improvement has been shown in recent weeks. All of Continental Europe, he pointed out, is now a "completely lost or greatly restricted market."

Balaban credited increased company earnings for 1940 "to the improvement in film operations which resulted from more efficient studio management and better pictures," and in doing so paid tribute to Y. Frank Freeman, vice-president in charge of the studio, and B. G. DeSylva, production manager. The 1940 net, reported earlier, was $7,633,130, or almost double the net earnings for 1939.

> **The financial position of the company was described in Balaban's report as "excellent." The company's annual report for 1940 showed cash and marketable securities of $12,593,455, and total current and working assets of $35,304,371 and current liabilities of $7,974,516.**

The parent company's debt was reduced $3,900,000 last year, and that of two consolidated subsidiaries by $1,750,000 of stock owned by outside interests. In addition, the company retired 10,482 shares of its first preferred stock, 22,600 shares of second preferred and acquired $780,000 par value of its first preferred.

Last February, Balaban reported, Paramount sold to five banks the remaining $2,492,800 of its authorized 3¼ per cent debentures. In answer to stockholders' questions, Balaban said that the company will not attempt to retire its outstanding preferred stock until banks agree to the making of long term loans for the purpose.

Meeting Amiable

"We are unwilling to burden the company with short term debt for the retirement of preferred stock," he said. Stockholders also were told that there is no definite plan at this time for putting the common stock on a regular dividend basis. Dividends of 20 cents per quarter have been declared for both the first and second quarters this year on the common.

The meeting was one of the most amiable stockholder sessions in the history of the company, observers were heard remarking. A representative of a large group of Boston stockholders, which in the past has been known to be critical of the management, expressed the gratitude of his group for the results reported by Balaban and added that "we are very pleased that the business is in the hands of men like yourself and Stanton Griffis and your associates."

The members of the board of directors who were reelected are: Neil F. Agnew, Balaban, Stephen Callaghan, Y. Frank Freeman, Harvey D. Gibson, A. Conger Goodyear, Stanton Griffis, Duncan G. Harris, John D. Hertz, John W. Hicks, Austin C. Keough, Earl I. McClintock, Maurice Newton, E. V. Richards, Edwin L. Weisl and Adolph Zukor.

Bowes Ill; Halt Show After 327 Programs

Major Edward Bowes entered Doctors Hospital yesterday for an appendix operation. In consequence, the "Major Bowes Original Amateur Hour," broadcast on Thursdays at 9 P.M. over CBS, will be canceled pending Major Bowes' recovery. This will be the first time the pro-, gram has missed in 327 broadcasts.

Para. 6-Month Net Seen at $4,000,000

(Continued from page 1)

Balaban stated yesterday that present indications are that earnings for the second quarter, ending next June 30, "will exceed the $1,478,000 for the second quarter of 1940."

The 1941 estimate is after anticipated taxes and charges, but includes the company's share of undistributed profits of partially owned, non-consolidated subsidiaries for the six-month period.

Series on Schenck

"The Rise and Fall of Joseph Schenck" is the title of a series of articles starting in the current *Liberty.* Alan Hynd is the author.

UA Will Hold First Regional Monday

(Continued from page 1)

eral sales manager, will preside at the sessions.

The personnel of the following branches will attend the New York meeting: Boston, New York, Philadelphia, Washington, Buffalo and New Haven. At the second meeting, in addition to the New Orleans personnel, the Atlanta, Dallas and Charlotte branches will be represented, and at the Cincinnati meeting, the Indianapolis, Cleveland and Pittsburgh offices will join with the local forces.

The Chicago meeting will draw representatives from that city, Denver, Detroit, Kansas City, Milwaukee, Minneapolis, Omaha, St. Louis, Calgary, Montreal, St. John, Toronto, Vancouver and Winnipeg. At the final meeting on the Coast, the San Francisco, Los Angeles, Salt Lake City and Seattle branches will be represented.

PRC Is Ahead of Production Schedule

With four June releases and two of four for July completed, Producers Releasing Corp. is ahead of its production schedule, the company has announced. The June releases include: "Paper Bullets," "Texas Marshal," starring Tim McCoy; "Criminals Within," with Eric Linden, and "Double Cross," with Kane Richmond.

For July, "Desperate Cargo," with Ralph Byrd, and "Gambling Daughters," with Cecilia Parker and Roger Pryor, have been completed. "Billy the Kid in Santa Fe," with Bob Steele, and the fourth "Lone Rider" film, starring George Houston, will start in production next week. Others in preparation for the current season are: "Reg'lar Fellers," "Mr. Celebrity," and an untitled Harry Langdon film to be produced by Jed Buell.

Drop Film Bureau In Canada Change

OTTAWA, June 17.—Under an order-in-council, the Canadian Government has dropped the name Motion Picture Bureau, with the National Film Board covering all film planning, supervision and production activities. John Grierson is commissioner of the board.

The Film Board now is part of the Department of National War Services. Previously the board and bureau were separate branches in the Department of Trade and Commerce. Frank Badgley, director of the bureau for many years, is ill, and is not expected to return to his office for several weeks.

Para. Group Leaving For Production Talks

Barney Balaban, Paramount president, with Stanton Griffis, chairman of the executive committee, Neil Agnew, general sales manager, and Paul Raibourn will leave for the Coast tomorrow by plane for production conferences. David Rose, Paramount managing director in Great Britain, is expected here Friday by clipper and will leave for the studio immediately to join the discussions.

8-Hour, 5-Day Week Seen for Coast Studios

(Continued from page 1)

would be limited to Monday through Friday as a general practice was not disclosed.

Standardization of all con[illegible]s dealing with workers non-exempt from the Act to 40 hours with time and a half for overtime is believed the aim of the studios. Contract work weeks now vary from 36 to 54 hours for various classifications.

Following the meeting, the business agents, led by Harold V. Smith, chairman and representative of Sound Technicians Local 695, met to discuss the producers' proposals. A meeting of the full negotiating committee is scheduled for tomorrow to read the unions' answer preliminary to another session with Casey and Pelton on Thursday.

Draft Contracts in Writer Agreement

HOLLYWOOD, June 17.—Attorneys representing the Screen Writers Guild and the producers met today to begin drafting a formal bargaining contract, following approval in principle of the proposed pact by the SWG membership last night. The pact will go into effect with its signing by guild executives and producers.

The tentative agreement noted that an arbitration system other than the American Arbitration Association be used. The contract provides for $125 minimum weekly wage for writers, 85 per cent guild shop, elimination of speculative writing, conciliation of credits and other disputes.

The pact will run seven years, and it may be reopened after the first three years, and thereafter at intervals of two years until its expiration. It may be reopened to discuss wages, flat deals and vacations with pay. Approximately 28 per cent of the studio writers will be affected by the minimum wage provision.

Sparks Due Here To Set Para. Deal

(Continued from page 1)

atre head, will represent the company in the deal, which will give Paramount a 90 per cent interest in the circuit. The company already owns a 50 per cent interest. The remaining 10 per cent will continue to be owned by Rogers, general manager of the circuit, who remains in that capacity, and other officials of the circuit who will continue to be identified with it.

'Sergeant York' to Open at Astor July 2

(Continued from page 1)

for the front of the Astor will be part of the campaign and will be the largest of its kind, the announcement further stated.

The campaign will include promotional tieups with various patriotic organizations such as the American Legion and Veterans of Foreign Wars.

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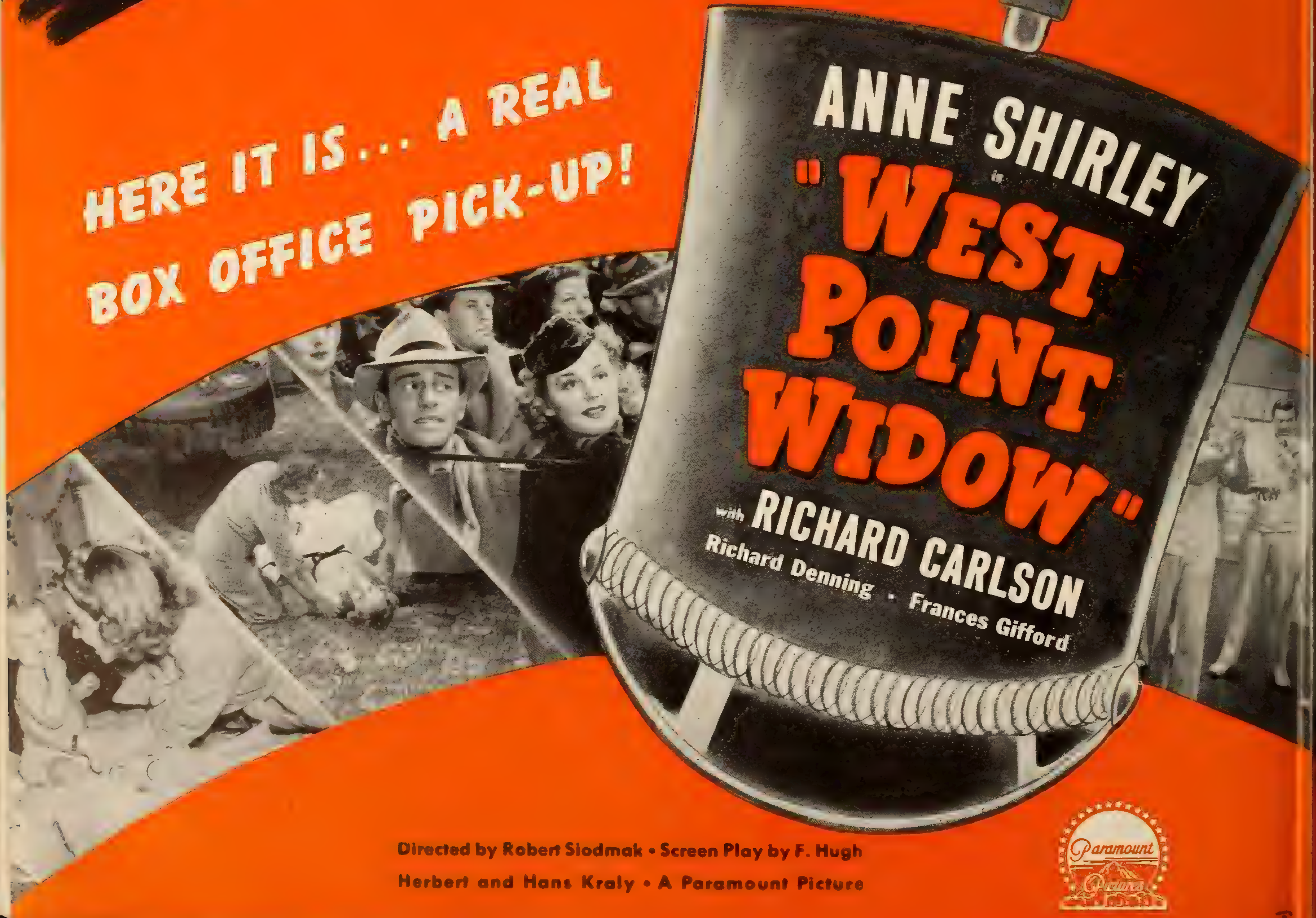

ANNE SHIRLEY in

"WEST POINT WIDOW"

with RICHARD CARLSON

Richard Denning · Frances Gifford

Directed by Robert Siodmak • Screen Play by F. Hugh Herbert and Hans Kraly • A Paramount Picture

Paramount Pictures

'Woman' Hits Philadelphia Bell, $16,500

PHILADELPHIA, June 17.—The Boyd registered the best business with $16,500 for "A Woman's Face," while at [illegible] Earle "Reaching for the Sun," [illegible] Tommy Tucker's band and Simone Simon on the stage brought in $17,500.

Estimated receipts for the week ended June 11-13:

"Broadway Limited" (U.A.)
ALDINE — (1,400) (35c-41c-46c-57c-68c) 3 days, 2nd week. Gross: $3,000. (Average, $9,000)

"Pot O' Gold" (U.A.)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $2,200. (Average, $2,600)

"A Woman's Face" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days. Gross: $16,500. (Average, $13,000)

"Reaching for the Sun" (Para.)
EARLE — (4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Simone Simon, Tommy Tucker's orchestra, Amy Arnell, Kerwin Somerville, Donald Brown, Wesson Brothers and Stuart Morgan Dancers. Gross: $17,500. (Average, $14,000)

"Blood and Sand" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days. Gross: $15,200. (Average, $13,000)

"The Great Commandment" (Univ.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 5 days. Gross: $2,000. (Average, $3,000)

"I Wanted Wings" (Para.)
KEITH'S — (2,200) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,200. (Average, $4,500)

"Love Crazy" (M-G-M)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $9,000. (Average, $14,000)

"Rookies on Parade" (Rep.)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $3,500. (Average, $4,500)

'Doe' Takes $9,000 Minneapolis Gross

MINNEAPOLIS, June 17. — "Meet John Doe" did a healthy $9,000 gross at the Orpheum to lead the box-office parade. "That Hamilton Woman" took $7,000 at the State. Wet weather kept vacationists in town.

Estimated receipts for the week ending June 13:

"They Dare Not Love" (Col.) (3 days)
"Model Wife" (Univ.) (4 days)
WORLD — (350) (28c-39c-44c-55c) 7 days. Gross: $1,600. (Average, $1,600)

"Ellery Queen's Penthouse Mystery" (Col.) (4 days)
"Mr. Dynamite" (Univ.) (4 days)
"Shot in the Dark" (W.B.) (3 days)
"Melody for Three" (RKO) (3 days)
ASTER — (900) (15c-28c) 7 days. Gross: $2,000. (Average, $1,800)

"I Wanted Wings" (Para.)
CENTURY—(1,600) (28c-44c) 7 days, 2nd week. Gross: $6,000. (Average, $4,000)

"The Penalty" (M-G-M)
GOPHER — (998) (28c) 7 days. Gross: $2,200. (Average, $2,500)

"That Hamilton Woman" (U.A.)
STATE — (2,300) (28c-39c-44c) 7 days. Gross: $7,000. (Average, $6,000)

"Meet John Doe" (W.B.)
ORPHEUM — (2,800) (28c-39c-44c-55c) 7 days. Gross: $9,000. (Average, $5,500)

Pernick of Local 1 Honored at Dinner

Solly Pernick, business manager of the Theatrical Protective Union, Local 1, who has been with the union for 25 years, was tendered a testimonial dinner at the Astor Hotel last night. Vincent Jacobi, Sam Kornblatt and Joseph Nolan handled the arrangements.

Feature Reviews

"Broadway Limited"

(Roach-United Artists)

ABOARD the Pennsylvania Railroad's crack Broadway Limited is enacted this occasionally amusing comedy against a background of speeding trains and bits which emphasize the cooperation of the railroad for which Hal Roach expresses appreciation in a screen foreword.

The film has one name of box-office significance, that of Victor McLaglen, while Marjorie Woodworth and Dennis O'Keefe, young players, take care of the romantic aspects of the light plot, and such troupers as Patsy Kelly, Zasu Pitts and George E. Stone fill the gaps. Leonid Kinskey likewise is important to the cast as a temperamental Hollywood director, and Gay Ellen Dakin, an infant, adds considerable baby charm to the net result.

Gordon Douglas directed the Hal Roach production, aiming at laughs for the most part and succeeding in fair measure. En route East on the Limited, Kinskey, director, decides Miss Woodworth, his star, should arrive in New York with an allegedly adopted baby. Miss Kelly, his secretary, calls on McLaglen, Limited engineer, and he falls for the assistance of a stranger, supplying the child.

As the train starts from Chicago Miss Woodworth meets O'Keefe, old sweetheart, and the party learns a child has been kidnapped. Between efforts to avoid capture as kidnappers, Kinskey's efforts to keep his star from falling in love with O'Keefe, and Miss Pitts' general difficulties as a newspaper woman on the trip, the action is lively, if a bit aimless at times.

Running time, 85 minutes. "G." * CHARLES S. AARONSON

"The Shepherd of the Hills"

(Paramount)

Hollywood, June 17

HAROLD BELL WRIGHT'S homespun yarn of the Ozark hill people and their superstitions has been given a Technicolor sheen by Paramount, which placed John Wayne, Betty Field and Harry Carey in the principal roles of "The Shepherd of the Hills." The picture emerges as a ponderously moving vehicle, with many loopholes in its story of the stranger who returns to the hills and changes the life of the community dominated by a group of moonshiners believed to be "hexed."

There he meets his son, the band's leader, who has sworn to kill him for desertion of his mother at childbirth.

Supporting the top trio are Beulah Bondi, James Barton, Samuel S. Hinds, Marjorie Main, Ward Bond, Marc Lawrence, John Qualen, Fuzzy Knight, Tom Fadden, Olin Howland, Dorothy Adams, Virita Campbell and Fern Emmett.

The story at times strains the credulity and some of the dialogue, patterned after the Ozark mountain talk, is difficult to understand.

Henry Hathaway, who directed "The Trail of the Lonesome Pine," also guided this. Jack Moss produced.

Running time, 95 minutes. "G." * VANCE KING

"Cyclone on Horseback"

(RKO)

Lincoln, June 17

TIM HOLT'S fourth in a series under the production guidance of Bert Gilroy and the direction of Edward Killy is a better than average western that has been polished with fine dialogue treatment and good production. Besides Holt, Marjorie Reynolds, as a fast talking heroine; Ray Whitley, as Holt's yodeling sidekick, and Lee White as a be-whiskered old cowpuncher, provide ample support.

The plot deals with stringing telephone wires across the prairie with Miss Reynold's brother in danger of losing his franchise for the job if he doesn't reach a certain point on time. Holt is a rancher who is led to selling a herd of pack horses intended for Miss Reynold's brother, Harry Worth, to Dennis Moore, the crooked operator, who will get the franchise if Worth fails.

The girl persuades Holt to lend financial assistance to her brother, then finagles him into actually stringing the wire. Of course, they make the vital connection amid a hail of bullets. Harry Wild's photography is topnotch.

Running time, 58 minutes, "G." *

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* *"G" denotes general classification.*

45 New Films In Work; MGM Busy With 10

HOLLYWOOD, June 17.—The number of pictures before the cameras this week increased to 45, four more than last week's total, as 10 finished and 14 started. M-G-M's is the busiest lot with 10 shooting, and 20th Century-Fox second with eight in work. A total of 37 is being prepared, and 90 are being edited.

The tally by studio:

Columbia

Finished: "Our Wife."
In Work: "The Medico Rides," "Texas," "Ladies in Retirement," "You'll Never Get Rich," "Woman of Desire" (formerly "Tonight Belongs to Us").
Started: "Blonde from Singapore."

Goldwyn

In Work: "The Little Foxes."

Korda

Finished: "Lydia," (formerly "Illusions").

M-G-M

In Work: "Honky Tonk," "Young Americans," "The Yearling," "Life Begins with Andy Hardy," "Smilin' Through," "Ringside Maisie."
Started: untitled Dr. Kildare, "Chocolate Soldier," "Whistling in the Dark," untitled Greta Garbo-Melvyn Douglas vehicle.

Monogram

Finished: "City Limits."
In Work: "Fugitive Valley."
Started: "Rough Riders," "Deadly Game."

Paramount

In Work: "Reap the Wild Wind," "Timber Wolves," "Bahama Passage," "Sullivan's Travels."

Wanger

Started: "Sundown."

RKO

Finished: "The Devil and Daniel Webster," "Mexican Spitfire's Baby."
In Work: "Look Who's Laughing."
Started: "Weekend for Three."

Small

Finished: "International Lady."

Republic

Finished: "Under Fiesta Stars."
In Work: "Ice-Capades."

Roach

In Work: "Niagara Falls."

20th Century-Fox

In Work: "Marry the Boss' Daughter," "Yank in the R.A.F.," "Charley's Aunt," "Wild Geese Calling.'
Started: "How Green Was My Valley," "We Go Fast," "Man at Large," "Riders of the Purple Sage."

Universal

Finished: "The Masked Caballero," "Mob Town," "Raiders of the Dust."
In Work: "Almost an Angel," "This Woman is Mine," (formerly "I, James Lewis.")

Warners

In Work: "Nine Lives Are Not Enough," "The Maltese Falcon," "Navy Blues," "The Smiling Ghost," "Law of the Tropics."

'Lisbon' Gets $13,900, Best Frisco Gross

SAN FRANCISCO, June 17.—"One Night in Lisbon" paired with "Power Dive" took an excellent $13,900 at the Paramount. "In the Navy" and "Mr. Dynamite" drew $10,800 in the second week at the Orpheum.

Estimated receipts for the week ending June 10-15:

"Sunny" (RKO)
GOLDEN GATE — (2,850) (35c-40c-55c) 7 days, 2nd week. Stage: vaudeville. Gross: $10,500. (Average, $15,000)

"That Hamilton Woman" (U.A.)
UNITED ARTISTS — (1,200) (25c-30c-40c-50c) 7 days, 2nd week. Gross: $8,500. (Average, $8,000)

"In the Navy" (Univ.)
"Mr. Dynamite" (Univ.)
ORPHEUM — (2,440) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $10,800. (Average, $8,000)

"Love Crazy" (M-G-M)
"People vs. Dr. Kildare" (M-G-M)
ST. FRANCIS — (1,400) (15c-35c-40c-50c) 7 days, 3rd week (moved over from Paramount). Gross: $5,200. (Average, $6,000)

"One Night in Lisbon" (Para.)
"Power Dive" (Para.)
PARAMOUNT—(2,740) (15c-35c-40c-50c) 7 days. Gross: $13,900. (Average, $11,500)

"Blood and Sand" (20th-Fox)
"Bride Wore Crutches" (20th-Fox)
FOX—(5,000) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $13,0000. (Average, $16,000)

"Billy the Kid" (M-G-M)
"Reaching for the Sun" (Para.)
WARFIELD — (2,680) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $10,000. (Average, $12,000)

"Pepe le Moko" (Mayer-Burstyn)
CLAY — (400) (15c-35c-45c) 7 days, 5th week. Gross: $700. (Average, $1,000)

"Citizen Kane" (RKO)
GEARY — (1,288) (55c-75c-$1.10-$1.65) 7 days, 3rd week. Gross: $6,200. (Average, $10,000)

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Critics' Quotes . . .

"I WANTED WINGS" (Paramount)

The photoplay goes pretty melodramatic in spots, but in the main, it's a gripping air spectacle that retains the good old common touches of lusty humor and folksy sentiment.—*Chicago Tribune.*

One of the outstanding adventure films of the year.—*W. E. Oliver, Los Angeles Herald and Express.*

One of the biggest and most exciting of the aviation films.—*Dorothy Manners, Los Angeles Examiner.*

When it is on the ground "I Wanted Wings" is nothing more than a routine movie tale, but when it gets up into the air—ah, then it becomes a thing of grandeur. Luckily it is in the air most of the time.—*Norman Clark, Baltimore News-Post.*

The desire for wings, we dare say, will swell in many a youthful heart where it may never have been felt before after seeing Paramount's "I Wanted Wings." It's that thrilling and inspiring.—*Dorothy Gutman, Philadelphia Daily News.*

As a movie, the film has what it takes to keep box-office humming.—*Mildred Martin, Philadelphia Inquirer.*

Runs more than two hours and is a large and generally expert screen production.—*Garrett D. Byrnes, Providence Journal.*

When it sticks to flying "I Wanted Wings" offers educational and tingling entertainment along with some of the cinema's best aviation photography. —*Time.*

"THAT HAMILTON WOMAN" (Korda-United Artists)

The film has faults that may limit its popularity to the "class" audiences. But on the credit side is an exceptionally lavish and authentic decor; the co-starring of Vivien Leigh and her husband, Laurence Olivier, and, particularly, the actress' vivid portrayal in the title role.—*Newsweek.*

Miss Leigh is superb and the love scenes—most of them enacted at the bitter moment of parting, are explosive in voltage.—*Elsie Finn, Philadelphia Record.*

It achieves distinction in spite of Alexander Korda's script, which is mediocre at best, because of the force of Miss Leigh's personality, intelligence and mobility.—*Laura Lee, Philadelphia Bulletin.*

Beautifully and delicately done throughout, in the staging as well as in the acting.—*C. J. Bulliet, Chicago Daily News.*

By and large it has everything needed to provoke a reasonable amount of enthusiasm.—*Gilbert Kanour, Baltimore Evening News.*

"PENNY SERENADE" (Columbia)

Their story is told on the screen with such simplicity and rings so absolutely true that the audience can't help taking the Adamses to its heart and sharing, vicariously, their happiness and their sorrows.—*Kate Cameron, New York News.*

A comedy that leaves you choked with emotion at the end, or maybe it's an emotional drama that keeps you laughing most of the time. However, you look at it, this is a grand picture.—*Eileen Creelman, New York Sun.*

Heart-warming is the word for both of them. As a matter of fact, the whole picture deliberately cozies up to the heart.—*Bosley Crowther, New York Times.*

The same pair who had audiences howling with "The Awful Truth" return in this classic tear-jerker. And as good as Irene Dunne and Cary Grant were in the aforementioned opus, they are even better in this different kind of film.—*Lee Mortimer, New York Mirror.*

Only the script keeps "Penny Serenade" from being an outstanding achievement.—*Howard Barnes, New York Herald Tribune.*

"SHINING VICTORY" (Warners)

It is uncomprising in its adherence to purpose, with no concession to what might be called "box-office."—*Los Angeles Times.*

"Shining Victory" is intelligently told and exceedingly well played. . . . For sticking close to his theme of characterization, for creating a thoughtful mood and for the skillful handling of his players director Irving Rapper deserves the highest praise.—*Los Angeles News.*

A solid, substantial drama, well stocked with the suspense of seeing reasonable human beings going about the business of living. . . . No milestone at the box-office is likely to be established by "The Shining Victory," but it is one of the films you will like to think back on.—*W. E. Oliver, Los Angeles Herald and Express.*

A thoughtful, engrossing and deeply interesting picture.—*Dorothy Manners, Los Angeles Examiner.*

"SUNNY" (Wilcox-RKO)

Its only object is to entertain—and entertain it does, superlatively.—*C. J. Bulliet, Chicago Daily News.*

This is the third old-style Broadway show wherein she (Anna Neagle) has been starred, and it stands up better than either "Irene" or "No, No, Nanette," under the test of time.—*Donald Kirkley, Baltimore Sun.*

1HEY DARE NOT LOVE" (Columbia)

The teaming of George Brent and Martha Scott in "They Dare Not Love" should spell good box-office for the Columbia picture. Both stars are popular and they have been supplied here with a story of current drama.—*Los Angeles Examiner.*

Frankly an average program movie, one that depends for its interest on narrative values.—*Philip K. Scheuer, Los Angeles Times.*

'In the Navy,' 'Tight Shoes' Chicago Hits

CHICAGO, June 17.—"In the Navy" and "Tight Shoes" at the Palace scored a very strong $20,000. Other grosses were slow. The Woods [illegible] begun offering half-price tickets [illegible] "Citizen Kane."

Estimated receipts for week ending June 12:

"Bad Man" (M-G-M)
APOLLO—(1,400) (35c-55c-65c-75c) 2 days. Gross: $1,400.

"I Wanted Wings" (Para.)
CHICAGO — (4,000) (35c-55c-75c) 7 days, 2nd week. Stage: Variety bill. Gross: $30,000. (Average, $32,000)

"Penny Serenade" (Col.)
GARRICK — (1,000) (35c-55c-75c) 7 days, 2nd week. Gross: $4,800. (Average, $5,000)

"Road to Zanzibar" (Para.)
"Footsteps in the Dark" (W.B.)
ORIENTAL — (3,200) (25c-40c) 7 days. Gross: $8,000. (Average, $9,000)

"In the Navy" (Univ.)
"Tight Shoes" (Univ.)
PALACE — (2,500) (30c-40c-60c) 7 days. Gross: $20,0000. (Average, $13,000)

"Blood and Sand" (20th-Fox)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days, 2nd week. Gross: $9,500. (Average, $11,000)

"Devil Dogs" (W.B.)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage: Major Bowes Unit. Gross: $15,800. (Average, $15,000)

"A Woman's Face" (M-G-M)
UNITED ARTISTS — (1,700) (35c-55c-75c) 7 days, 3rd week. Gross: $10,000. (Average, $14,000)

"Citizen Kane" (RKO)
WOODS—(1,100) (75c-$1.10-$1.65) 7 days, 5th week. Gross: $6,500.

Set 'Para. Week' In Canada for Sept.

TORONTO, June 17.—"Paramount Week" will be observed throughout the Dominion by the Paramount organization, including Famous Players Canadian Theatres, early in September, it was announced today by Delbert Goodman, division manager for Canada, as the Paramount meeting at the Royal York Hotel concluded its second day.

All Paramount executives from the New York home office who attended left by tonight, but the personnel of the six distributing branches are remaining for conferences with Goodman tomorrow. The convention will wind up with a banquet tomorrow night.

'Billy' at $12,000 Is Kansas City Leader

KANSAS CITY, June 17.—"Billy the Kid" at the Midland, with "Broadway Limited" took $12,000. "One Night in Lisbon" at the Newman took $9,000.

Estimated receipts for the week ending June 12:

"Blood and Sand" (20th-Fox)
ESQUIRE—(800) (28c-44c) 7 days. Gross: $2,500. (Average, $2,200)

"Billy the Kid" (M-G-M)
"Broadway Limited" (U.A.)
MIDLAND — (3,600) (28c-44c) 7 days. Gross: $12,000. (Average, $9,500)

"One Night in Lisbon" (Para.)
NEWMAN — (1,900) (28c-44c) 7 days. Gross: $9,000. (Average, $7,000)

"The Cowboy and the Blonde" (20th-Fox)
TOWER — (2,200) (30c-40c-50c) 7 days. Stage show. Gross: $6,000. (Average, $6,000)

"Blood and Sand" (20th-Fox)
UPTOWN—(2,000) (28c-44c) 7 days. Gross: $3,000. (Average, $3,000)

Urges British Film Emergency Council

LONDON, June 17.—A movement has been started here for the formation of a representative industry emergency council, as a result of an ineffectual handling of problems in the past through the usual channels.

Prime mover in the plan is Harry P. E. Mears, former president of the C[illegible]natograph Exhibitors Associat[illegible] He has suggested the council, with official representation from the CEA, Kinematograph Renters Society, the producers association, and the National Association of Theatrical and Kine Employes.

Objectives of the council would be to frame industry policy for negotiation with appropriate Government bodies when necessary and in general to function as an industry "war cabinet." Indications are that there is some support for the idea but a considerable amount of indifference may have to be overcome.

New Trial for Davis Is Set for Mid-July

PHILADELPHIA, June 17.—The new trial of retired Federal Judge J. Warren Davis in the William Fox conspiracy case will be listed for the middle of July.

U. S. District Judge Hugh Dean McLellan of Boston has been designated as the trial judge, his designation dating from July 1 to Oct. 1. The first trial last month ended with the jury deadlocked, after several ballots in which a majority on each occasion voted for acquittal.

Leslie Howard Will Expand Production

LONDON, June 17.—Leslie Howard Productions, which will preview "Pimpernel Smith" tomorrow, is planning to extend its production activities widely, it is understood. Multiple quota films are planned.

The company has acquired the rights to produce a film on British aviation, featuring the Spitfire plane. Howard will produce, direct and star in it, for release by General Film Distributors.

20th-Fox Signs Mature

HOLLYWOOD, June 17. — Twentieth Century-Fox today announced the signing of Victor Mature for two pictures annually for five years on a contract shared by Hal Roach. Announced at the same time was a loan deal by Arnold Pressburger with Roach for Mature's services in "The Shanghai Gesture."

Permits Bioff to Leave

Willie Bioff, Hollywood IATSE leader, yesterday posted bond of $50,000 on the Government's extortion charges and was permitted by Federal Judge John C. Knox to return to the Coast until August 18, when he is scheduled to stand trial here.

Masucci Leaves Firm

P. F. Masucci, Eastern manager for International Seating Corp., has resigned. He had been with the company since 1934.

RKO Plans 40-45 Pictures For New Season's Program

(*Continued from page 1*)

18 Walt Disneys, 13 "Information Please," 13 issues of The March of Time, 13 Sportscopes, 13 Picture People, six two-reel Edgar Kennedy comedies, four Ray Whitley two-reel musical Westerns, and 104 issues of Pathe News.

The features identified by Ned E. Depinet, vice-president in charge of distribution, at the company's national sales convention at the Waldorf-Astoria, consist of the following:

Three Goldwyn Features

Three from Samuel Goldwyn, the first to be "The Little Foxes," starring Bette Davis, with Herbert Marshall, directed by William Wyler. A Gary Cooper production to be directed by Howard Hawks and "The Singing and the Gold," also starring Cooper with William Wyler directing, complete the trio.

Ginger Rogers in an unnamed number of starring vehicles.

"Before the Fact," starring Cary Grant and Joan Fontaine, directed by Alfred Hitchock.

A new Orson Welles production, as yet untitled, which will be written, produced and directed by Welles, who also will be starred in it.

"Father Takes a Wife," starring Gloria Swanson, with Adolphe Menjou.

"Look Who's Laughing," starring Edgar Bergen, Charlie McCarthy, Fibber McGee and Molly, and Lucille Ball. Allan Dwan, producer-director.

A Kay Kyser production, with Ginny Simms.

"Three Rogues," starring Charles Laughton and Lucille Ball, a Ferenc Molnar comedy, to be produced by Graham Baker from a script by Sam and Bella Spewack.

Hempstead's 'Joan of Paris'

"Joan of Paris," with Michele Morgan, to be produced by David Hempstead and directed by Lewis Milestone.

"Unexpected Uncle," with Charles Coburn, James Craig and Anne Shirley, with Tay Garnett producing and Peter Godfrey directing.

"Valley of the Sun," with James Craig and Dorothy Comingore, to be produced by Graham Baker with George Marshall directing.

"Passage to Bordeaux," starring Lucille Ball, with Joseph Cotten and Ruth Warrick.

"Parachute Battalion," starring Howard Preston, Nancy Kelly, Edmond O'Brien and Harry Carey.

"Lady Scarface," with Judith Anderson, Dennis O'Keefe and Frances Neal.

"Obliging Young Lady," featuring Joan Carroll, and with Edmond O'Brien and Ruth Warrick.

"The Marines Are Ready," with Victor McLaglen and Edmund Lowe.

"Gwangi," to be produced by John Speaks and Willis O'Brien, producers of "King Kong."

"Journey Into Fear," a David Hempstead production, scenarized by Ben Hecht, and directed by Robert Stevenson.

"Sister Carrie," the Theodore Dreiser novel, adapted by Bella and Sam Spewack, to be produced by Graham Baker.

Lupe Velez, Leon Errol, Zasu Pitts and Buddy Rogers in three feature comedies to be produced by Cliff Reid and directed by Les Goodwins, the first to be titled "Mexican Spitfire's Baby."

"Powder Town," a Cliff Reid production, based on a novel by Max Brand.

Wyatt-Horton Picture

"Week End for Three," with Jane Wyatt, Edward Everett Horton, Dennis O'Keefe and Philip Reed, to be poduced by Tay Garnett and directed by Irving Reis.

"Army Surgeon," an original screenplay by John Twist, to be produced by Cliff Reid.

"Mayor of 44th Street," also a Cliff Reid production, from a magazine article by Luther Davis and John Cleveland.

"Street Girl," an original story by John Twist, to be produced by him.

Three and possibly four full-length Walt Disney features, among them, "Fantasia," "Bambi" and "Dumbo of the Circus."

Two Herbert Wilcox productions, starring Anna Neagle.

Dieterle Productions

"The Devil and Daniel Webster," produced and directed by William Dieterle, with Edward Arnold, Walter Huston, James Craig, Anne Shirley and Simone Simon.

"The Band Plays On," to be produced and directed by William Dieterle.

A "Lum 'n' Abner" feature, to be produced by Jack Votion.

"The Gay Falcon" series, based on the Michael Arlen stories, with George Sanders and Wendy Barrie.

Six Tim Holt Westerns, to be produced by Bert Gilroy.

"London House," each sequence of which to have different stars and a different director. In the first, to be directed by Herbert Wilcox, are Anna Neagle, Ray Milland, Ray Bolger, Patric Knowles, Claude Rains, Gene Lockhart and others.

National Screen Joins Convention Session

With an attendance of more than 500 persons, including the combined conventions of RKO and National Screen Service, Depinet opened yesterday afternoon's session. Among the speakers were James Mulvey, Eastern representative of Samuel Goldwyn; Herman Robbins, president of National Screen Service; Roy Disney and Gunther Lessing of Walt Disney Productions; J. R. McDonough, vice-president; William Dieterle and Herbert Wilcox, producers, and Louis de Rochemont, producer of March Time, who introduced Wing Commander Ernest McNab of the RAF, who related his combat experiences.

Depinet introduced Gloria Swanson, Simone Simon, Ray Collins and Anne Burr, RKO players, and Frank Buck. Several RKO stars greeted the convention by recordings made at the studio. Telegrams from David Hempstead and Jack Votion, producers, were read.

Those on the dais were: Malcolm J. Kingsberg, Charles Koerner, J. R. McDonough, Frederic Ullman, Jr., Cresson E. Smith, Robert Mochrie, Herbert Wilcox, Anne Burr, Lunsford P. Yandell, Gloria Swanson, Joseph I. Breen, George J. Schaefer, Ned E. Depinet, Richard C. Patterson, Louis de Rochemont, James Mulvey, William Dieterle, W. G. Van Schmus, Simone Simon, Phil Reisman, Frank Buck, A. W. Smith, Jr., Wing Commander Ernest McNab, Herman Robbins, Ray Collins.

The National Screen conventioners, joining in the RKO program, attended the March of Time's cocktail party at the Park Lane Hotel in the evening.

George J. Schaefer, president, will make one of the principal addresses today, and Andrew W. Smith, general sales manager, will discuss selling under the decree. Tomorrow there will be regional meetings conducted by Robert Mochrie, Eastern sales manager, and Cresson E. Smith, Western sales head.

The promotion by Mochrie of Morris Lefko, salesman in Pittsburgh, to branch manager in Indianapolis, was announced. He replaces Roy Churchill, resigned.

Vote Daylight Time For Indianapolis

Indianapolis, June 17.—Daylight Saving Time will begin here at 1 A.M. on Sunday. The City Council, after a long night session, authorized Mayor Reginald H. Sullivan to issue a proclamation establishing the new time.

New Complaint Here; Two Are Dismissed

Arbitration complaints at Pittsburgh and Cleveland were dismissed yesterday and New York's 15th complaint was filed, the American Arbitration Association reported.

The complaint of the 18th Street Theatre, Erie, Pa., charging 20th Century-Fox, Warners and Paramount with refusal to license "some run" was dismissed by A. V. Murray, arbitrator, and costs were apportioned among all parties. Murray ruled that Warners and Paramount had not refused the theatre "some run" and held that 20th Century-Fox was "justified" in not licensing the theatre.

The complaint of the Ellet Amusement Co., of Akron, involving clearance and run charges against all five consenting companies, was dismissed without prejudice by Daniel B. Cull, arbitrator. No reason was given. Costs were assessed against the plaintiff.

New York's 15th complaint was filed by Gleason Amusement Corp., operator of the Colonial, Monroe, N. Y. It named 20th Century-Fox, RKO, Paramount and Warners, and asked that the Colonial be permitted to play the product of those companies immediately after the Ritz and Broadway at Newburgh, which now have 14 days' clearance over it.

Republic Closes Deals

Republic has closed a deal for its 1941-'42 lineup with the Essaness Circuit, Chicago, operating 27 houses, and the S. J. Gregory Circuit operating 18 houses in Indiana and Illinois.

Radio to Blame For New Crime Gain: Wheeler

(*Continued from page* 1)

programs, he said the chains should adopt the same type of advertising program as the magazines that go into every state and require that advertisers take outlets in every state.

William S. Paley, president of CBS, however, pointed out that the network which did this would be at a competitive disadvantage against a network which did not have rural outlets and could offer a concentrated desirable market, while if all the networks agreed to do it the Department of Justice might act against them.

Wheeler also attacked the "soap dramas" which he said fill the morning hours, calling them "cheap junk" and "dime novel stuff" and warning the industry that it will have to afford better fare, despite the protestations of Paley that these programs have proved exceedingly popular.

The discussions of programs occupied much of the day's hearing, in exchanges between Wheeler and witnesses. Paley completed his testimony today.

NBC joined CBS in asking for new radio legislation, as Niles Trammell, NBC president, testified that the network regulations of May 2 by the FCC present a "vital issue" which should be settled by Congress.

Trammell followed Judge John J. Burns, CBS counsel, who challenged the right of the commission to issue the regulations, and charged they were promulgated with "absolutely no attention to the evidence involved."

WARM Sued on Pact

SCRANTON, Pa., June 17.—The National Association of Performing Artists, has sued the Union Broadcasting Co., operator of WARM. The plaintiff charged breach of contract under which the defendant company was to have paid five per cent of the gross income from commercial broadcasts on which phonograph records were used.

Strotz Handles W2XWG

Sidney N. Strotz, NBC vice-president in charge of programs, will hereafter add to his duties all programs over the network's Frequency Modulation station, W2XWG, which had been under the engineering department's supervision.

News Scoop

Minneapolis, June 17.—Station WMFG Hibbing, Minn., scored a startling scoop when bandits recently held up a Minneapolis brewery. An advertising man at the time was talking by long-distance telephone to the station 200 miles north of Minneapolis. He overheard a bandit's command and the station broadcast reports of the holdup while it was still in progress. Minneapolis police did not learn of it for 10 minutes because of a smashed switchboard.

Off the Antenna

RAYMOND GRAM SWING, Mutual commentator, leaves by Clipper July 1 for London, where his series of sustaining and sponsored news programs will originate. Swing will interview war personalities rather than confine himself to direct news reporting. He will omit the programs of July 1, 2, 8, 15, 22 and 23 and expects to resume broadcasting from here July 25.

• •

Purley Personal: *Scott Colton, who has played in films, has been signed as announcer at WHN. One of his regular assignments is the "One-Two-Three Swing" from* 1 *to* 3 *A. M. . . . Cedric Foster, Mutual commentator, has left the Mutual affiliate, WTHT, Hartford, Conn., to join the executive staff of the Yankee-Colonial network in Boston. . . . Bob Schmid, director of sales promotion for Mutual, became the father of an eight-pound girl Monday, born to Mrs. Schmid at Doctors Hospital.*

• •

Charles P. Shoffner, authority on farm problems, has been appointed director of rural programs for WCAU, Philadelphia, in an expansion of program service to rural areas. Shoffner has been on the air with farm programs for the past 18 years.

• •

Tonight's Louis-Conn Championship fight at the Polo Grounds will be short-waved to Latin America by WGEO, General Electric station in Schenectady, in cooperation with Mutual, which will carry it here. Julio Garzon will describe the bout in Spanish. HCJB, Quito, and LR-1, Buenos Aires, will pick up and rebroadcast the description over long wave. Gillete is the sponsor.

• •

Program News: *"Claudia and David," dramatic program with Patricia Ryan and Richard Kollmar, will take the Friday* 8 *P.M. period vacated by Kate Smith Hour for the Summer over CBS, beginning July* 4. *Rose Franken is writing the program. . . . Lever Bros. has renewed with CBS for two daytime serials, "Aunt Jenny" and "Big Sister," the first for Rinso, the second for Spry. . . . Tayton Cosmetics will sponsor Jimmy Fidler in a new Hollywood gossip column over the CBS Pacific Network Friday,* 8:30-8:45 *P.M., beginning July* 11. *. . . Two CBS programs will change time this Friday, "Hollywood Premiere" from* 10-10:30 *P.M. to* 9:30-10, *and "Penthouse Party" from* 10-10:30 *to* 10:30-11. *. . . Mutual will have a sponsored afternoon dramatic series, its first in many months, when "Front Page Farrell" goes on the air for Anacin. The serial will be heard Monday through Friday* 1:30 *to* 1:45 *over* 78 *stations. Blackett-Sample-Hummert placed the show. . . . Anacin will sponsor another new show over the NBC-Red, titled "America the Free." Victor Arden and his orchestra and a chorus will be heard on the programs Saturdays at* 10:30 *P.M.*

Seek Permits for Two New Stations

WASHINGTON, June 17.—Construction permits for new stations have been asked of the FCC by the Norfolk County Bradcasting Co., planning a 1,490-kilocycle, 250-watt station at Norfolk, Va., and the La Crosse Tribune Co., seeking a 46,500-kilocycle FM station east of La Crosse, Wis., to cover 4,520 square miles with a population of 166,600.

The commision also was asked to authorize Stations WQBC, Vicksburg, Mis., to change frequency from 1,390 to 1,470 kilocycles and extend time from day to unlimited! KOAM, Pittsburg, Kans., to extend time from day to unlimited; KWOS, Jefferson City, Mo., to change frequency from 1,340 to 1,240 kilocycles, and WAAB, Worcester, Mass., to increase power from 1,000 to 5,000 watts, move transmitter from Quincy to Paxton Mass., and move studio from Boston to Worcester.

Ascap Names Podell Suit Trial Counsel

Schwartz & Frohlich, general counsel for Ascap, have engaged David L. Podell as trial counsel in Ascap's contemplated anti-trust action against major broadcasting interests. Ascap recently announced that it planned an anti-trust suit against NBC, CBS, National Association of Broadcasters, Broadcast Music, Inc., and others.

Two New Uses Are Disclosed for FM

Two new applications of the possible uses of FM have been reported recently. CBS has ordered three 50-watt FM relay transmitters for use between its New York City studios to its short wave transmitter at Brentwood, L. I., 40 miles away. Instead of using telephone lines, CBS will send its programs from studio to transmitter by FM.

The second usage, also reported by General Electric which is installing the equipment, is a two-way FM setup to permit a street railway system to keep its cars moving. A 250-watt station centrally located and 10 25-watt portables installed in cars will permit the Cleveland Railway Co. to learn immediately of traffic conditions and tie-ups caused by fires and similar complications.

P.&G. Renews Air Shows

In addition to the eight daytime serials renewed over NBC-Red earlier this month, Procter & Gamble has now renewed three more shows, "Road of Life," "Lone Journey" and "Ma Perkins."

In Blair Radio Post

CHICAGO, June 17.—Holly Shively, former radio department manager of the Lord & Thomas agency here, heads the newly organized station creative sales division department of John Blair & Co., local company.

Mexico Commandeers Station Near Border

Mexico City, June 17.—The Mexican Government has expropriated Station XERA, of 180,000 watts, at Villa Acuna, Coahuila State over the border from Eagle Pass, Texas, under orders of President Manuel Avila Camacho. This action, the first of the kind against a large station in this country, was taken because the Government considered XERA was broadcasting material not in harmony with Mexico's policy. The district court today rejected the company's appeal, holding that the seizure was justified. The Government will install the station's equipment here.

CBC Year Program Total 12,000 Hours

TORONTO, June 17.—Total program production of CBC for the fiscal year ending March 31 reached 12,000 hours, representing 36,500 individual programs in English and French, according to an official report. A sharp increase began in April, 1939, when tension developed in Europe, it is pointed out, and reached a peak in October of that year, the service having been maintained at a constant level since.

CBC drew attention to the fact that three-quarters of all Canadian chain broadcasts during the year were presented by live talent, while a considerable portion of the remainder were transcription rebroadcasts of important personalities, most of which had originated with CBC or BBC. A decrease is noted in the exchange of programs between CBC and the three large networks of the United States, the total of Canadian time from the States during the past year being 20 per cent, compared with 30 per cent during the preceding year.

Royalty Waived for Non-Commercial FM

Non-commercial, educational stations which plan to move into FM broadcasting will have to pay only a nominal royalty of one dollar for use of FM patents, it has become known. Major Edwin H. Armstrong, holder of the patents, made the offer to waive the usual royalties in a letter to Dr. John W. Studebaker, U. S. Commissioner of Education.

Such licenses have been approved for San Francisco and Cleveland, and applications are pending from the school boards in Chicago and San Diego, Cal., and the University of Illinois.

Television Society To Dine June 26

The American Television Society will hold its first "television dinner" at the Hotel Astor on June 26, it was announced yesterday. The society is described as a non-commercial, non-profit group acting as a clearing house for exchange of television information. Officers are Warren M. Caro, president; Don McLure, vice-president; Robert Champlain, treasurer; Vivian Fletcher, secretary.

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Mead Urges U.S. Action on Axis Film Ban

Asks Hull for All Data on Measures Taken

WASHINGTON, June 18.—Banning of Axis propaganda films was asked of the State Department today by Senator James M. Mead (Dem., N. Y.) to round out the drive on German propaganda which earlier this week led to orders closing German consulates and other offices in this country.

[*Senator Mead's action has been forecast exclusively by* MOTION PICTURE DAILY.]

The Senator disclosed that he had asked Secretary of State Cordell Hull to furnish information regarding the situation and what steps are being taken to deal with it. If necessary, he indicated, he will sponsor legisla-

(*Continued on page* 4)

Warns on Propaganda

Washington, June 18.—The Federal Communication Commission today warned it will not tolerate "hostile propagandizing in the interest of any foreign government which has repeated and flagrantly expressed its enmity to this country and to the continued existence of its basic system of government."

Pledge Aid to Boost Chicago Business

CHICAGO, June 18.—The cooperation of local exchange managers and exploitation men was promised subsequent run theatres in their efforts to improve theatre business and attendance at a joint meeting at the Congress Hotel today, sponsored by Allied Theatre Owners of Illinois.

Approximately 140 theatres and most distribution companies were represented at the meeting. No concrete ideas for a business drive were advanced, but the consensus was that a greater selling effort on the part of exhibitors is needed by both pictures and theatres.

The membership again went on record in favor of single feature programs. Jack Kirsch, Illinois Allied president, said that if circuit theatres

(*Continued on page* 4)

Toronto Suburban Grosses Nil in Two-City Blackout

By W. M. GLADISH

TORONTO, June 18.—As Ontario's first blackout was held here and in Hamilton tonight, suburban exhibitors said they might as well have closed their theatres for the evening instead of playing to empty seats. The big downtown houses, however, grossed more than they expected early in the evening.

The crowds swarmed to vantage points and the downtown business section to "enjoy" the blackout test, and the downtown theatres "broke" their shows in time for the simulated air raid to permit patrons to join the throngs.

Sunnyside Amusement Park drew thousands with airplane stunts and loud speakers blaring raid sound effects.

Downtown managers organized raid precaution squads with ushers assigned to emergency stations at area-

(*Continued on page* 4)

Wide Response to Phila. Newspaper Theatre Promotion

PHILADELPHIA, June 18.—Institutional house ads inaugurated by the Philadelphia *Bulletin* urging the public to "spend their vacations" at the film theatres, in an effort to help the lull at the box-office, will be continued throughout the Summer.

Two or three ads will be used each week. Though the campaign was designed for local use, the newspaper has received terrific response from the industry throughout the country on the basis of the story describing it which was published in MOTION PICTURE DAILY on June 13.

Columbia Pictures' home office in New York has asked the *Bulletin* for permission to use the ads for a nationwide institutional campaign. Permission to reproduce the advertisements also was given to the Warner Circuit for use in all cities where its theatres are located and to Ralph F. Stitt, head of the United Theatres Corp. in Detroit.

Accessories Topic At NSS Convention

A discussion of National Screen Service problems occupied the attention of the sales force of NSS and its two subsidiaries, National Screen Accessories and Advertising Accessories, Inc., at the third day of its first national sales convention at the Waldorf-Astoria Hotel yesterday.

Yesterday evening was devoted to a dinner and party at Billy Rose's Diamond Horseshoe. Today's final session will start this morning with a discussion of advertising accessories. The afternoon session also will be

(*Continued on page* 4)

M-G-M Preparing Plans for Season

With M-G-M holding no national sales convention this year, distribution executives have visited branches to instruct the field staffs on the company's plans and policies for the new season. William F. Rodgers, general sales manager; T. J. Connors, Eastern, Canadian and Southern division manager, and E. K. O'Shea, Central division manager, have been in the field on such trips.

Rodgers returned early this week from the Coast. He said yesterday that M-G-M will continue next season its customary practice of making 45 to 50 features annually.

Rodgers reported an improvement in business during the past week, stating that both theatre attendance and film receipts had recorded gains.

The M-G-M sales chief expects the

(*Continued on page* 4)

Dismiss Action to Enjoin RKO from Voting for K-A-O Reorganization

Wilmington, June 18.—The Chancery Court action which sought to enjoin RKO from voting its seven per cent cumulative preferred stock of Keith-Albee-Orpheum Corp. in favor of the proposed reorganization of K-A-O was dismissed by Chancellor W. W. Harrington today on petition of the complainant's counsel.

Today's order also invalidates an order issued last week which directed RKO to appear in Chancery Court July 2 and show cause why it should not be blocked from voting its stock.

The complaint was brought by J. S. Farlee & Co., Inc., New York brokerage firm which acted through its Wilmington counsel, C. Edward Duffy, to withdraw the action.

RKO's First Block-of-Five Ready July 7

Schaefer Urges Optimism For New Season

RKO's first block-of-five will be tradeshown at exchanges during the week of July 7 and selling of the block will start immediately thereafter, it was announced yesterday, at the company's sales convention here, which was keynoted by a note of optimism for the new season by George J. Schaefer, president.

George Schaefer

"If we have any troubles at the box - office," said Schaefer, "I do not believe that an undersized sweater on an oversized

(*Continued on page* 7)

Zanuck Reports to President on Films

WASHINGTON, June 18.—Darryl F. Zanuck, vice-president in charge of 20th Century-Fox production, and head of the Research Council of the Academy of Motion Picture Arts and Sciences, today made a report to President Roosevelt on what the film industry is doing to aid the defense program.

Zanuck was in Washington today to discuss the progress made in the production of training films with officials of the War Department.

Zanuck visited the White House, where he is understood to have given the President a detailed outline of what is being accomplished, and what is planned for the future in the way of training films and other pictures.

FPC Policy Will Be Liberal, Says Taylor

TORONTO, June 18.—"The attitude of Famous Players Canadian toward smaller, independent competitors will shape itself in a more liberal manner in the future, and as a result independent theatres will be able to obtain benefits for which our Independent Theatres Association has long

(*Continued on page* 4)

Coast Flashes

Hollywood, June 18

IRVING ASHER, M-G-M producer, left today for New York by train to confer on plans for the Broadway opening of "Blossoms in the Dust."

•

Retiring as an associate producer for 20th Century-Fox, Lou Edelman leaves tomorrow for Washington by plane for conferences.

•

Screen Cartoonists Local 852, now conducting a strike at the Walt Disney studio, today announced the signing of a 100 per cent closed shop contract calling for an average increase of $5 weekly with Screen Gems, Inc., releasing through Columbia. The contract includes vacations with pay, an eight-hour day and five-day week and 30 to 45 per cent wage increases in the lower brackets. Sixty employes are affected.

•

Henry Fonda today was loaned by 20th Century-Fox to Columbia to appear opposite Barbara Stanwyck in "The Doctor's Wife."

CFI Stockholders Will Meet on July 8

Consolidated Film Industries, Inc., has called a special meeting of stockholders for July 8 at Wilmington, Del., to act on proposals to remove restrictions and clarify the company's power to purchase its outstanding preferred stock.

The company is recommending that stockholders approve amendments to the certificate of incorporation removing requirement that it may not purchase its preferred stock if it is in default in the payment of any fixed cumulative dividend on the preferred, or if the net current assets of the company at book value are less than $2,400,000. The arrears amounted to $9.25 a share on April 1, last.

Hoss Is Named 'U' Manager in Frisco

Lon Hoss, Universal city salesman in Los Angeles for the past six years, has been promoted to San Francisco branch manager, it was announced yesterday by W. A. Scully, general sales manager. Barney Rose, former San Francisco branch manager, rerecently was promoted to Chicago branch manager.

Pa. Sunday Statute Change to Governor

Harrisburg, Pa., June 18.—The bill amending the existing law to permit local option referenda on Sunday films was passed by the Pennsylvania legislature today and sent to Governor James.

The measure provides that 20 per cent instead of five per cent, as now, of the number of voters of the dominant party at the last general election be required for a referendum. Also, the issue may be raised every four years instead of five.

Personal Mention

WILL H. HAYS will return to New York Monday from his Sullivan, Ind., home.

•

ALEXANDER KORDA left for the Coast by plane last night.

•

DAVID ROSE, Paramount managing director for Britain, has been delayed at the Azores because of mechanical trouble experienced by the clipper on which he was en route to New York, and his arrival here now is indefinite.

•

EDWIN P. DALTON of Dalton Theatres, Flushing, Mich., and MRS. DALTON are the parents of a girl, BONNIE SUE.

•

SAMUEL BROIDY, Monogram exchange manager, left Atlanta yesterday on a tour of exchanges.

HARRY C. ARTHUR, general manager of Fanchon & Marco in St. Louis, has moved his family to their Summer home at Shrub Oak, N. Y.

•

MORRIS GOODMAN, Republic vice-president in charge of foreign sales, is expected by plane from Puerto Rico today after a three-month tour of Latin America.

•

LES KAUFMAN, head of the Fanchon & Marco advertising and publicity department in St. Louis, is vacationing in the North.

•

ALVARO REYES, Paramount manager for Colombia, who has been in New York for the past several months, will leave with his family on the *Santa Elena* tomorrow.

Complaint Filed by Exhibitor in Phila.

PHILADELPHIA, June 18.—Columbus Stamper, operator of the Great Northern Theatre here, today filed a clearance complaint at the local arbitration board against Paramount, 20th Century-Fox and M-G-M. The Warner Keystone and Strand are named as interested parties.

The complaint asks that the Great Northern be permitted to play the defendants' product seven days after the Keystone, which plays seven days after the Strand. The Great Northern now plays 21 days after the Strand.

The complaint is the eighth on file here and the fifth naming Warner theatres as interested parties.

'Sailors' Opens in Norfolk Tomorrow

United Artists will hold the premiere of "Three Cockeyed Sailors," tomorrow at the Granby Theatre, Norfolk, Va. This is the British-made picture formerly titled "Sailors Three," produced by Michael Balcon for Associated British. David Weshner, U.A. exploitation chief, has gone to Norfolk for the opening. A preview will be held for officers and men of the U. S. Navy Yard, and crews of two British ships. A parade and broadcast will highlight the pre-opening festivities. Naval and military detachments including a company of marines will participate.

Interstate Manager Dies

SAN ANTONIO, June 18.—V. D. Walker, 43, died here suddenly this week of a heart attack. Former manager of the Uptown here, he was manager of the Empire at the time of his death. He had been with the Interstate circuit since 1921. He is survived by his widow and a sister.

Steiner Forms Company

Charles Steiner, formerly associated with Max A. Cohen in Belle Theatres, has formed Steiner Enterprises, Inc., with offices at 11 Clinton St. for the operation of the Palestine Theatre on the East Side.

Urge Cooperative Booking in Canada

ST. JOHN, N. B., June 18.—A cooperative booking service is being organized in the provinces, where the cooperative economic projects have been taking hold.

On the contention that it is time the individual theatre operator looked after his own interests insofar as screen supply is concerned, Jack Butler, of Moncton, N. B. and Archibald J. Mason, of Springhill, N. S., are leading the organization of the service.

They are advocating the booking service as the only effective way of achieving a continuous supply of good pictures at lower rentals. The outlook is that the cooperative service, if and when it goes through, will be established in St. John, because it is the focal point for all picture distribution in the Atlantic provinces and Newfoundland.

W.B. Circuit Signs Phila. Union Pact

PHILADELPHIA, June 18.—The Warner circuit today signed a new labor contract, extending for two years and nine months with the Theatre Employes Union here, Local B 100.

Terms of the contract, which expired the first of the year, but is not retroactive, provides for a sliding scale of pay increases up to 10 per cent for assistant managers, ushers, cashiers and all other staff employes, according to length of service with the circuit, in terms of one, two and three or more years.

U. S., Canada Plan Joint Defense Film

OTTAWA, June 18.—Officials of the National Film Board have announced the cooperation of Canadian and United States authorities in production of a film on hemisphere defense, designed to depict essential points which must be protected.

John Grierson, film commissioner, said the film, being made for the Department of Public Information, probably would be completed in November. About half the film will be shot in the United States, it was indicated.

New Howard Film Swift and Exciting

London, June 18.—The new Leslie Howard production, "Pimpernel Smith," previewed here today by Anglo-American Film Co., is a swift and exhilarating picture dramatizing the adventures of a professor helping anti-Nazis to escape from Germany.

Combining melodrama, romance, slapstick and satire, the whole has been veneered with a literary polish. Howard's direction, as well as his performance, are flawless. The film gives every evidence of being qualified for the world market.

Flanagan

Motor Camp Shows In South and East

Units of the U. S. Motor Camp Shows sponsored by the Citizens Committee for the Army and Navy, Inc., this week are touring camps in the East, South and Southwest.

One unit, including stage and screen players, today is at Fort Jackson, Columbia, S. C.; tomorrow will be at Camp Croft, Spartanburg, S. C., and on Saturday at Camp Stewart, Fort Scriven and other spots about Savannah, Ga.

Another group will be at Fort Ontario, Oswego, N. Y., tomorrow, and at Fort Niagara on Sunday. A third unit will be at Camp Wolters, Mineral Wells, Tex., over the weekend, coming from Oklahoma.

New Texas Camp Theatre

SAN ANTONIO, Tex., June 18.—A second theatre is being built at Fort Sam Houston here to take care of additional enlistments.

Loew Boats Robbed

River thieves who have been operating on Long Island Sound recently, last weekend stole about $1,000 worth of equipment from two boats owned by Arthur Loew, moored near his estate at Glen Cove, the police disclosed. A similar theft occurred recently from the yacht of Harry Gold of United Artists.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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THOSE 'SEA WOLF' OUTCASTS ARE AT IT AGAIN! AND HOW THE CROWDS LOVE IT!

'OUT OF THE FOG'

IDA LUPINO
JOHN GARFIELD
in
'OUT OF THE FOG'
with
THOMAS MITCHELL
EDDIE ALBERT
GEORGE TOBIAS
Directed by ANATOLE LITVAK
Screen Play by Robert Rossen,
Jerry Wald and Richard Macaulay
From the Play 'The Gentle People'
by Irwin Shaw

OPENING TOMORROW—N.Y. STRAND! WATCH!

Mead Urges U.S. Action on Axis Film Ban

(Continued from page 1)

tion to close American theatres to such pictures.

Pictures like "Victory in the West," "Baptism of Fire" and "Cruiser Emden," as well as others less direct in their propaganda approach, he charged, are being shipped to the United States and other Western Hemisphere countries to "mislead, confuse, and disunify our people."

"Britain, I understand has a full appreciation of the propaganda uses of Axis films and is intercepting and destroying every such film it can seize before it can reach its destination," he explained. "Nevertheless, they do arrive here in some quantities and they are being shown in many instances."

U. S. Films Barred

On the other hand, he added, American films are not being shown in the dictator countries, and the theatres of all the occupied nations are being employed for the exclusive exhibition of Axis propaganda pictures designed to break down civilian morale and reduce resistance.

"Apparently," Senator Mead declared, "the United States is adhering to the letter of an old international reciprocal understanding that permitted foreign films to be distributed here after the nominal duties were paid. Theoretically, our films may now be admitted to the Axis nations. However, once they reach those shores, they are never distributed and are never shown. We evidently do not have the legal machinery to enforce the same process.

Urges Retaliation

"I think we ought to find a way to ignore certain foreign films in the same manner in which our films are ignored in some countries abroad."

The Senator pointed out that there is no question of free speech involved, but that we are simply opening the door "and inviting Hitler to propagandize the American people."

"In my opinion, it's high time we had it stopped," he declared. "We've got our hands full in this hemisphere without taking on any unnecessary additional anti-American propaganda campaigns. I hate censorship but, under the present emergency conditions, it just seems to be common horse sense to tell Hitler and his henchmen that their propaganda films aren't welcome here."

Pledge Aid to Boost Chicago Business

(Continued from page 1)

would take the lead in eliminating duals, Allied "will follow and give them the benefit of any doubt on clearance."

Distribution representatives at the meeting were: Clyde W. Eckhardt, 20th Century-Fox; Rud Lohrenz, Sidney Rose and Monroe Rubinger, Warners; M. M. Gottlieb, Universal; James Donohue and Fred Bartow, Paramount; Frank Flaherty and Jack Thomas, Columbia; W. E. Banford, W. G. Bishop and Gene Rich, M-G-M, and Ben E. Eisenberg, United Artists.

Hollywood Review

"The Parson of Panamint"

(Paramount)

Hollywood, June 18

MADE first in 1916 with Dustin Farnum, this Peter B. Kyne novel of a "fighting parson" in the 1890's is now brought to the screen by Harry Sherman, with Charlie Ruggles, Ellen Drew and Phillip Terry as principals.

The story is told through the flashback medium, with Ruggles as narrator at start and finish, telling the story of what happened to a "ghost town." Additionally, he enacts the mayor of the town, Panamint, run by a greedy and narrow-minded group of "leading citizens." To them, the mayor brings a young parson whose innate honesty of purpose is completely misunderstood.

Although the parson makes friends with the plain citizens of the community, through his actions on behalf of a singer at the local bar, they are turned against him by the banker and judge, who fear exposure of the way they have been running the gold mine which supplies the town's wealth. Only the revelation that the mine has been flooded saves the parson from hanging at the hands of the mob on a charge of murder.

The closing sequences are handled in a manner recalling the allegory of "Intolerance," while the bulk of the footage is straightforward portrayal of action.

Departures have been made in casting, with Ruggles in his first serious screen role, and Miss Drew as the cafe singer. Joseph Schildkraut, Porter Hall, Henry Kolker, Janet Beecher, Clem Bevans, Douglas Fowley and Paul Hurst are in the cast. William McCann directed. Miss Drew sings four topical songs and the hymn, "Rock of Ages."

Running time, 84 minutes. "G." * W.S.

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* *"G" denotes general classification.*

Toronto Suburban Grosses Nil in Two-City Blackout

(Continued from page 1)

ways and exits with electric lanterns in event power should be turned off.

The blackout created last minute complications when Toronto exhibitors asked for a ruling on outside emergency lights required by Provincial law. The theatres were ordered to observe the Federal air raid regulations, superseding the Ontario law. At the Uptown Theatre several large chandeliers in the foyer and the inside lobby were fitted with dark green lights invisible from the street.

Another complication caused a rush at film exchanges when it was learned that all trains and motor traffic in and out of the city would be stopped for 25 minutes just at the time when film shipments usually leave for the Toronto railway station. The exchanges' shippers were compelled to work double-quick to make connections.

Accessories Topic At NSS Convention

(Continued from page 1)

devoted to accessories, followed by an introduction of the company's new neo art displays.

The four-day meeting, part of which was held in conjunction with RKO, also holding an annual sales convention at the Waldorf-Astoria, was presided over by George Dembow, vice-president in charge of sales. The men will depart for their respective offices this evening.

Seek to Legalize Gambling in Ohio

COLUMBUS, O., June 18.—Petitions are being circulated here under supervision of the Square Deal Tax League, Inc., with a view to obtaining sufficient signatures to place a constitutional amendment on the ballot at next November's election to legalize lottery, slot machines, and "similar forms of gambling," on the ground that small merchants would be benefited thereby. The proposal would provide that state and local taxing agencies would be authorized to tax all gambling equipment.

The amendment, if passed, would permit chance games in theatres to be conducted unmolested, instead of causing sporadic arrests as now is the case, because of alleged violation of the Ohio anti-gambling law.

Many Players Set For Summer Stock

Numerous assignments in Summer stock companies have been made recently. The following are some of the placements arranged by the William Morris Agency.

Beverly Roberts will open at Westboro, Mass., June 30, in "Philadelphia Story." Gloria Stuart is at the County Playhouse, Suffern, N. Y., in Mr. and Mrs. North, the week of July 2. Peggy O'Donnell will appear in "Poor Nut" at Ogunquit, Me., week of Aug. 11. Lee Kresel appears in Suffern in "Once in a Lifetime," opening July 21. Alfred Drake has been assigned to juvenile leads at Marblehead, Mass.

M-G-M Getting Set for 41-42 Sales Season

(Continued from page 1)

first block of five pictures to be ready for trade showing in about a month, and he plans to name the films in the first block for the trade next[illegible]ek. The studio expects to have a[illegible]ast one other block ready in advance of the start of the season on Sept. 1.

Rodgers said that it has not been determined yet how many additional men will be required because of the new selling method and that definite information on this may not be available until the system is in operation. Plans for the company's trade showings have been developed but will not be announced immediately.

FPC Policy Will Be Liberal, Says Taylor

(Continued from page 1)

strived," N. A. Taylor, affiliated with FPC operations, said today.

Taylor issued a statement clarifying his alliance with FPC. He is head of Twentieth Century Theatres.

The statement said that on July 1 Taylor will take over operations of a number of theatres formerly operated by FPC and associated companies but that no sale or merger would be involved. He said his own circuit and the Exhibitors Booking Association would continue to be operated as in the past.

The first house to be taken over by Taylor in the Toronto district is the Bayview, formerly with Hanson Theatres Corp., it is reliably understood. It has also been arranged that Twentieth will open the Centre at Chatham, Ont., June 26 with Harlan Rankin of Tilbury as manager. This will be a first run, while the Park, being constructed by FPC in Chatham, will be a second run. The Avalon, Ottawa, recently acquired by Twentieth, will revert to FPC, it is understood, and other deals are in the making.

82,000 Witness New Musical in St. Louis

ST. LOUIS, June 18.—More than 82,000 persons viewed the 10 performances of "New Orleans," Romberg-Hammerstein musical, at the Municipal Opera here. The show had its world premiere in the huge outdoor theatre and will be produced on Broadway in the fall by Max Gordon.

The Municipal Opera will make available 50 free tickets nightly to service men. The tickets will be distributed through the United Service Organization. At the same time, Fred Brinkmeyer, owner of the Hi-Way Theatre here, announced uniformed men will be admitted free to his theatre at any time.

Coin Films in St. Louis

ST. LOUIS, June 18.—Approximately 20 coin machine film projectors are now in operation in hotels and bars in the city. Exhibitors are undisturbed by any competition from the machines.

'Wings' in Detroit Hits Big $13,000

Detroit, June 18.—Normal business prevailed with both the Michigan and Fox having holdovers. The Michigan did $13,000 with "I Wanted Wings" and "Honeymoon for Three." The Fox reported $15,000 with "Blood and Sand," "Melody for Three" and the personal appearance of Dr. I. Q. and his radiocast on Monday night.

Estimated receipts for the week ending June 12:

"King of the Zombies" (Mono.)
"Invisible Ghost" (Mono.)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $6,000. (Average, $5,500)
"Private Secretary" (M-G-M)
"The Devil and Miss Jones" (RKO)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,600. (Average, $7,000)
"Blood and Sand" (20th-Fox)
"Melody for Three" (RKO)
FOX—(5,000) (20c-44c-55c-65c) 7 days, 2nd week. Dr. I. Q. one day on stage. Gross: $15,000. (Average, $15,000)
"I Wanted Wings" (Para.)
"Honeymoon for Three" (W.B.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days, 2nd week. Gross: $13,000. (Average, $12,000)
"Billy the Kid" (M-G-M)
"Love Crazy" (M-G-M)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $7,000. Average, $7,000)
"That Uncertain Feeling" (U.A.)
"Cheers for Miss Bishop" (U.A.)
UNITED ARTISTS—(2,800) (20c-39c-44c-55c) 6 days. Gross: $8,000. (Average, $10,000)

'Navy' Providence Winner at $7,700

Providence, June 18.—During a week when three programs, an unprecedented number, were held over in the first runs, the Majestic's double bill, "In the Navy" and "Scotland Yard," led the town for a second week with a gross of $7,700.

Estimated receipts for the week ending June 11-12:

"Love Crazy" (M-G-M)
"The People vs. Dr. Kildare" (M-G-M)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days, 2nd week. Gross: $9,000. (Average, $11,000)
"In the Navy" (Univ.)
"Scotland Yard" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days, 2nd week. Gross: $7,700. (Average, $7,000)
"I Wanted Wings" (Para.)
STRAND—(2,200) (28c-39c-50c) 7 days, 2nd week. Gross: $5,500. (Average, $6,000)
"The Singing Hill" (Rep.)
"Scattergood Pulls the Strings" (RKO)
FAY'S—(1,800) (15c-25c-35c) 7 days. Gross: $1,800. (Average, $2,800)
"Devil Dogs of the Air" (W.B.) (Re-issue)
"The Nurse's Secret" (W.B.)
CARLTON — (1,526) (28c-39c-50c) 7 days. Gross: $2,400. (Average, $3,500)
"The Sea Wolf" (W.B.) (3 days)
"Strange Alibi" (W.B.) (3 days)
"The Great Lie" (W.B.) (4 days)
"Power Dive" (Para.) (4 days)
EMPIRE—(1,200) 20c-28c) 2nd run. Gross: $1,600. (Average, $1,700)

'Love Crazy' $9,800 Tally, Indianapolis

Indianapolis, June 18. — "Love Crazy" and "Free and Easy" did $9,800 at Loew's and were held. "One Night in Lisbon" and "West Point Widow" brought the Circle $6,500. The weather was rainy.

Estimated receipts for the week ending June 13:

"One Night in Lisbon" (Para.)
"West Point Widow" (Para.)
CIRCLE — (2,800) (28c-33c-44c) 7 days. Gross: $6,500. (Average, $6,000)
"Love Crazy" (M-G-M)
"Free and Easy" (M-G-M)
LOEW'S — (2,800) (28c-33c-44c) 7 days. Gross: $9,800. (Average, $7,000)
"The Cowboy and the Blonde" (20th-Fox)
LYRIC—(2,000) (30c-40c-50c) 7 days. Stage: Vaudeville. Gross: $7,000. (Average, $8,000)

Feature Reviews

"Kansas Cyclone"

(Republic)

"KANSAS CYCLONE," scoring forcibly in all departments, makes for splendid Western entertainment. The story of a crooked mining outfit preying upon honest miners until U. S. Marshal Don "Red" Barry puts the check on them stands up consistently all the way through and provides Barry with some ideal situations, such as flooring four heavies with as many roundhouse wallops.

George Sherman, associate producer and director, handled situations and players smoothly and kept the film active from start to finish. The supporting players, including Lynn Merrick, William Haade, Milt Kibbee, Harry Worth and Dorothy Sebastian, gave their parts all that was required. The photography is tops for Westerns.

Running time, 56 minutes. "G." *

"The Gang's All Here"

(Monogram)

HERE is action material of the unpretentious sort, but which should prove reasonably satisfactory for audiences who seek their screen entertainment in the active school.

Concerned with a series of hi-jacking and driver-killing "accidents" on a truck route in California, it affords the vigorous young Frankie Darro an opportunity to display a talent for active performance. In support are two other youngsters, Jackie Moran and Marcia Mae Jones, respectively mechanic for and daughter of the owner of the trucking company. The two supply the approach to romance in immature fashion which the film offers. Keye Luke, as the Chinese operative for an insurance company, is also in the cast. Darro succeeds in trapping the gang guilty of framing the truck holdups after a road adventure or two.

Lindsley Parsons produced and Jean Yarbrough directed.

Running time, 61 minutes. "G." * Charles S. Aaronson

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* *"G" denotes general classification.*

'Blood' Takes Good $7,900, Seattle's Best

Seattle, June 18. — "Blood and Sand" at the Paramount took $7,900, and enters a second stanza. Among the holdovers, "That Hamilton Woman" drew $5,900 at the Liberty. The weather was cooler and slightly rainy.

Estimated receipts for the week ending June 14:

"The Great American Broadcast" (20th-Fox)
"Rage in Heaven" (M-G-M)
BLUE MOUSE—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: 3,000. (Average, $4,000)
"Love Crazy" (M-G-M)
"The Cowboy and the Blonde" (20th-Fox)
FIFTH AVENUE—(2,500) (30c-50c-65c) 7 days, 2nd week. Gross: $6,800. (Average, $7,000)
"That Hamilton Woman" (U.A.)
LIBERTY — (1,800) (30c-40c-50c-65c) 7 days, 2nd week. Gross: $5,900. (Average, $5,000)
"Pot O' Gold" (U.A.)
"Scotland Yard" (20th-Fox)
MUSIC BOX — (950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $2,800. (Average, $4,000)
"In the Navy" (Univ.)
"Ride On Vaquero" (20th-Fox)
ORPHEUM—(2,450) (30c-40c-50c) 7 days, 2nd week. Gross: $5,200. (Average, $5,000)
"Singapore Woman" (W.B.)
"Lucky Devils" (Univ.)
PALOMAR--(1,500) (20c-30c-40c) 7 days. Stage: Vaudevile. Gross: $4,800. (Average, $5,000)
"Blood and Sand" (20th-Fox)
"Power Dive" (Para.)
PARAMOUNT — (3,050) (30c-40c-50c) 7 days. Gross: $7,900. (Average, $6,000)

'Sunny' at $12,000 Strong in Toronto

Toronto, June 18.—"Buck Privates" continued for a 10th week at Shea's, with still another new second feature, setting an engagement record for the past 12 months in any Toronto house. "Sunny" at the Uptown accounted for $12,000 while "Ziegfeld Girl" grossed $11,300 at Loew's.

Estimated receipts for the week ending June 14:

"One Night in Lisbon" (Para.)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $9,800. (Average, $9,000)
"Ziegfeld Girl" (M-G-M)
LOEW'S — (2,074) (18c-30c-42c-60c-78c) 6 days. Gross: $11,300. (Average, $9,000)
"Buck Privates" (Univ.)
"Singapore Woman" (W.B.)
SHEA'S—(2,663) (18c-30c-48c-60c) 6 days, 10th week. Gross: $7,00. (Average, $7,500)
"The Devil and Miss Jones" (RKO)
"Repent at Leisure" (RKO)
TIVOLI — (1,434) (12c-30c-48c) 6 days. Gross: $2,800. (Average, $3,900)
"Sunny" (RKO)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days. Gross: $12,000. (Average, $9,000)

Will Produce Ludwig Novel in Mexico City

Mexico City, June 18. — Arcady Boytler, Russian who has worked long in Mexican pictures as actor, producer and exhibitor, announces that Emil Ludwig has sold him the film rights to his novel, "Diana," for $3,250 and that work on this production is to start before the end of June. A stipulation of the sale was that Ludwig would come here to supervise the filming. He is also to attend the premiere here which is expected to be in the late Fall. The author insisted that the picture be made in Mexico.

Puddin' Head
A REPUBLIC PICTURE
NICHOLAS: "Hm—do you think the Prince would marry a commoner!"
JUNIOR: "Why not! They don't come any commoner than he is."
JUDY CANOVA with
FRANCIS LEDERER
RAYMOND WALBURN · "SLIM" SUMMERVILLE
EDDIE FOY, JR. · ASTRID ALLWYN · ALMA KRUGER · HUGH O'CONNELL · "CHIC" CHANDLER
JOSEPH SANTLEY—Director • Screen play by Jack Townley and Milt Gross • Original Story by Jack Townley

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
May 23	Naval Academy (D) 2020 *F. Bartholomew*	Love Crazy (C) 134 *Myrna Loy* *Wm. Powell*	Pirates on Horseback (O) 4054 *Boyd-Hayden*	Desert Bandit (O) 077 *Don Barry* *Lynn Merrick*	Scattergood Pulls the String (D) 132 *Guy Kibbee*	The Great Commandment (D) 142 *John Beal*		Too Many Blondes (M) 5034 *Rudy Vallee*	The Nurse's Secret (D) 523 *Lee Patrick* *Regis Toomey*	The Redhead (Mono.) Emergency Landing 109 (PRC)
May 30	Adventure in Washington (D) 2010 *Herbert Marshall*	Billy the Kid (O) 137 *Robert Taylor* *Mary Howard*	I Wanted Wings (D) 4028 *Ray Milland* *Holden-Morris*	Saddlemates (O) 067 *3 Mesquiteers*	Sunny (M) 133 *Anna Neagle* *Ray Bolger* *John Carroll*	Blood and Sand (D) 143 *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) 508 *Priscilla Lane* *Jeffrey Lynn*	Silver Stallion (Mono.) *David Sharpe* *Janet Waldo*
June 6		Mata Hari (D) (Reissue) *Greta Garbo* *L. Barrymore*		Angels With Broken Wings (D) 016 *Binnie Barnes*	The Saint's Vacation (D) 131 *Hugh Sinclair*	For Beauty's Sake (C) 144 *Ned Sparks* *Marjorie Weaver*		Men of the Timberlands (D) 5055 *Arlen-Devine*	Devil Dogs of the Air (D) 550 (Re-issue) Shining Victory (D) 564	Wranglers' Roost (Mono.) Texas Marshal 156 (PRC)
June 13	Richest Man in Town (C) *Roger Pryor* *Eileen O'Hearn*	The Get-Away (D) 138 *Robt. Sterling* *C. Winniger*	One Night in Lisbon (D) 1287 *F. MacMurray*		Cyclone on Horseback (O) 185 *Tim Holt*	Bride Wore Crutches (C) 112 *Lynne Roberts*	Broadway Limited (C) *Vic. McLaglen* *M. Woodworth*	Tight Shoes (D) *Binnie Barnes* *Brod. Crawford*	Out of the Fog (D) 555 *John Garfield* *Ida Lupino*	The Gang's All Here (Mono.) Paper Bullets 125 (PRC)
June 20	Time Out for Rhythm (M) Hands Across the Rockies (O) 2215	The Big Store (C) 139 *Marx Bros.*	West Point Widow (D) 4030 *Anne Shirley*	Nevada City (O) 057 *Roy Rogers* *Gabby Hayes*	The Reluctant Dragon (Disney) 191	Man Hunt (D) 146 *Walter Pidgeon* *Joan Bennett*		Law of the Range (O) San Antonio Rose (O)	Passage from Hong Kong (D) 524 *Keith Douglas*	
June 27	Sweetheart of the Campus (M) Medico of Painted Springs (O) 2206	They Met in Bombay (D) 140 *Clark Gable* *Rosalind Russell*	Parson of Panamint (D) 4031 *Charles Ruggles*	Puddin' Head (C) 003 Kansas Cyclone (O) 078	Frank Buck's Jungle Cavalcade 166	A Very Young Lady (D) 145 *Jane Withers* *Nancy Kelly*		Hit the Road (D) *Dead End Kids* *Tough Guys*	Underground (D) 558 *Jeffrey Lynn* *Mona Maris*	Wanderers of the West (Mono.) Double Cross Criminals Within 111 (PRC)
July 4	I Was a Prisoner on Devil's Island (D) 2008	Barnacle Bill (D) *Wallace Beery* *Virginia Weidler*	Caught in the Draft (C) 4032 *Bob Hope* *Dorothy Lamour*	Gangs of Sonora (O) 068 *3 Mesquiteers*	Tom, Dick and Harry (C) 126 *Ginger Rogers* *George Murphy*	Moon Over Miami (M) 147 *Don Ameche* *Betty Grable*		Bachelor Daddy (C) *Baby Sandy* *E. E. Horton*	Kisses for Breakfast (C) 517 *Dennis Morgan*	Murder by Invitation (Mono.) Desperate Cargo D 113 (PRC)
July 11	Two in a Taxi (D) *Anita Louise* *Russell Hayden*	Ringside Maisie (C) *Ann Sothern* *George Murphy*			They Meet Again (D) 134 *Jean Hersholt* *Dorothy Lovett*	Accent on Love (D) 148 *Cobina Wright* *G. Montgomery*		Hello Sucker (C) *Hugh Herbert* *Tom Brown*	Bride Came C.O.D. (C) 507 *Bette Davis* *James Cagney*	Billy the Kid in Santa Fe 162 (PRC) *Tim McCoy*
July 18	Blondie in Society (C) *Singleton-Lake* *Larry Simms*		Forced Landing (D) *Richard Arlen* *Eva Gabor*	Sunset in Wyoming (O) 047 *Gene Autry* *Smiley Burnette*	The Vatican of Pius XII (March of Time) 55 mins.	Dance Hall (D) 149 *Cesar Romero* *Carole Landis*		Raiders of the Desert (D) 5056 *Arlen-Devine*	Bullets for O'Hara (D) 518 *Joan Perry*	City Limits Arizona Bound (Mono.) Gambling Daughters 114 (PRC)
July 25	Officer and the Lady (D) *Rochelle Hudson* *Roger Pryor*		Shepherd of the Hills (D) *John Wayne* *Betty Field*		Hurry, Charlie, Hurry (C) 129 *Leon Errol* *Mildred Coles*			This Woman Is Mine (D) *Franchot Tone* *Carol Bruce*	Bad Men of Missouri (O) *Dennis Morgan* *Wayne Morris*	Rough Riders (Mono.) *Buck Jones* *Tim McCoy*
Aug. 1			Kiss the Boys Goodbye (M) *Mary Martin* *Don Ameche*		My Life With Caroline (C) 135 *Ronald Colman*			Cracked Nuts (C) *Stuart Erwin* *Una Merkel*	Three Sons O' Guns (O) 574 *Wayne Morris* *Tom Brown*	Bowery Blitzkrieg Deadly Game Fugitive Valley (Mono.)
Aug. 8			Wide Open Town (O) *William Boyd*				New Wine (M) *Ilona Massey* *Alan Curtis*	Hold That Ghost (C) *Abbott-Costello* *Andrew Sisters*	Manpower (D) 505 *Raft-Rob[illegible]* *Marlene D[illegible]ch*	Dynamite Canyon (Mono.) *Tom Keene* *Evelyn Finley*

PARAMOUNT'S PRIDE... EXHIBITOR'S JOY!

June 13
Popeye the Sailor
'OLIVE'S BOITHDAY PRESINK'

June 20
Gabby Color Cartoon
'FIRE CHEESE'
(Technicolor)

June 20
Grantland Rice
Sportlight
'LASSO WIZARDS'

June 27
Madcap Models
'HOOLA BOOLA'
(Technicolor)

Every PARAMOUNT SHORT is 100% BOX OFFICE TESTED!

'Navy' Milwaukee Smash at $12,000

MILAWAUKEE, June 18. — Aided by the two-day personal appearance of Dennis Morgan, the combination "In the Navy" and "Affectionately Yours," turned in $12,000 at the Warner. It was the second week for the former film. Other business was off.

Estimated receipts for the week en[illegible] June 10-12:

"I Wanted Wings" (Para.)
"Her First Beau" (Col.)
PALACE—(2,400) (33c-44c-55c) 5 days, 2nd week. Gross: $3,100. (Average, $4,000)
"Love Crazy" (M-G-M)
"The Great American Broadcast" (20th-Fox)
STRAND—(1,400) (33c-44c-55c) 5 days, 2nd week. Gross: $1,300. (Average, $1,500)
"Blood and Sand" (20th-Fox)
"For Beauty's Sake" (20th-Fox)
WISCONSIN—(3,200) (33c-44c-55c) 5 days, 2nd week. Gross: $5,000. (Average, $5,500)
"The Man Who Lost Himself" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Gross: $8,000. (Average, $6,500)
"In the Navy" (Univ.)
"Affectionately Yours" (W.B.)
WARNER—(2,400) (30c-40c-55c) 7 days. "Navy", 2nd week. Gross: $12,000. (Average, $4,500)

'Billy' Tallies Fair $12,500, Cleveland

CLEVELAND, June 18.—"Billy the Kid" attracted a prosperous $12,500 at Loew's State in an otherwise average week. RKO Palace, dropping vaudeville for the Summer, drew $6,000 with "She Knew All the Answers."

Estimated receipts for the week ending June 12-13:

"Blood and Sand" (20th-Fox)
ALLEN—(3,000) (33c-39c-47c) 7 days, 2nd week. Gross: $4,000. (Average, $4,000)
"In the Navy" (Univ.)
WARNERS' HIPPODROME — (3,800) (33c-39c-47c) 7 days. Gross: $11,000. (Average, $11,000)
"She Knew All the Answers" (Col.)
RKO PALACE—(3,100) (33c-39c-47c) 7 days. Gross: $6,000. (Average, $9,000)
"Billy the Kid" (M-G-M)
LOEW'S STATE—(3,500) (33c-39c-47c) 7 days. Gross: $12,500. (Average, $11,000)
"I Wanted Wings" (Para.)
LOEW'S STILLMAN—(1,900) (33c-39c-47c) 7 days, 2nd week. Gross: $4,500. (Average, $4,000)

'Crazy' Hits $8,000; New Haven Is Slow

NEW HAVEN, June 18.—Weather too fair and warm, and holdovers in three of the four downtown houses sent business down. "Love Crazy" and "I'll Wait For You" at the Loew-Poli, only new show in town, took $8,000.

Estimated receipts for the week ending June 12:

"Blood and Sand" (20th-Fox)
"Naval Academy" (Col.)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,500. (Average, $2,700)
"Love Crazy" (M-G-M)
"I'll Wait for You" (M-G-M)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $8,000. (Average, $8,000)
"I Wanted Wings" (Para.)
"Meet the Chump" (Univ.)
PARAMOUNT—(2,348) (39c-50c) 7 days, 2nd week. Gross: $4,000. (Average, $4,500)
"In the Navy" (Univ.)
"Mr. Dynamite" (Univ.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days, 2nd week. Gross: $3,800. (Average, $5,000)

Orders Fees Paid

WILMINGTON, June 18. — William H. Foulk, receiver for Pacific National Theatres, Inc., dissolved corporation, has been ordered by the Court of Chancery to pay partial claims of $6000 to attorneys.

RKO 5-Block Ready July 7; Schaefer Urges Optimism

(*Continued from page* 1)

girl is the solution. Our troubles will be solved by the flexibility of the industry and not by the flexibility of the sweater."

RKO's tradeshowings are likely to be the first in the industry under the consent decree selling system. The other four consenting companies have not announced their initial picture blocks or trade showing plans. The films in RKO's first block were announced at the convention earlier and have been screened for the sales force here.

Confirms Breen's Contract

As the principal speaker on the second day of the convention at the Waldorf-Astoria, Schaefer confirmed the appointment of Joseph I. Breen as vice-president in charge of the studio. In his capacity as chairman of the industry committee cooperating for national defense, he told the convention that "the screen is willing and well geared to meet any and every demand upon it in the country's emergency."

Speaking of business conditions, Schaefer said it was "natural" that the disruptions of the emergency should be felt by an industry as "sensitive" as this one, but that the problems with which it is confronted are bound to give way to the energies of the industry.

"We have no problem which creative ability cannot solve," he said. "We know as an over-all matter that pictures rarely stay far behind the entertainment demands of the public. I am confident that the new season will prove this more than ever before."

He asserted that "there never has been a time when it was more important for the nation and the industry that pictures do not swerve from the path of decency and wholesomeness."

"More eloquence is being shed upon what is the matter than what ought to be done in such problems as picture attendance as we face today," he continued. "I believe that our answer must be in pictures, not words. The greatest mistake we could make would be to underestimate the new alertness, the new interest, the new preoccupation of the public. I think we can meet this problem without turning to propaganda.

"Our pictures must and will reflect the interests of the day in which we live, the thoughts that are in our minds, and the needs of recreation which are increased by the national emergency.

"The mistake which RKO, and the industry at large will not make in shaping its entertainment appeal for the new season is the mistake of going backward, not forward, in our policy of clean and wholesome entertainment. There has never been a time when this has been more important than today."

Phil Reisman, vice-president in charge of the foreign department, and Charles W. Koerner, general manager of RKO Theatres, were other speakers at yesterday's meeting.

Each Film to Have Own Classification

Each picture in RKO's first block-of-five will be given an individual sales classification, A. W. Smith, general sales manager, told the convention.

Plans for selling only the first block were discussed at the session. The basic sales procedure has been developed by the men in the field and the entire sales force has been more or less familiar with the plan since early in the year, Smith said.

The company's field exploitation force will be a vital factor in RKO's national sales effort under the decree, S. Barret McCormick, advertising and publicity director, told the meeting.

"Under the decree," he said, "I know that the responsibility of the advertising and publicity department will be greater than ever before and that you of the selling staff will look to us to have pictures better publicized and advertised than ever before. Our activities and accomplishments have been greatly increased during the past year, and we will keep step with the new demands of the decree."

Discusses Fight Pictures

Colonel John Reed Kilpatrick, president of Madison Square Garden Corp., discussed public interest in fight pictures. RKO has distributed a number of the fight films made under the auspices of the Garden, and probably will handle the Louis-Conn pictures of last night's title contest at the Polo Grounds.

The entire convention, as part of a surprise evening's entertainment, were taken to the Polo Grounds after a beefsteak dinner at the Waldorf to see the title bout.

The delegates today will attend divisional meetings presided over by Robert Mochrie, Eastern sales manager; Cresson E. Smith, Western sales manager, and Leo Devaney, Canadian sales manager. They will be "on their own" tonight and will leave for their home cities tomorrow.

Astor Sets 2 Releases

Astor Pictures Corp., headed by R. M. Savini, has set Aug. 1 as the release date on "Her Enlisted Man" (formerly "Red Salute") and "Palooka," two of the group of Edward Small films recently acquired.

W.B. Unit to Studio

FORT KNOX, Ky., June 18.—The Warner production unit headed by Director Breezy Eason which has been on location here for "The Tanks Are Coming" has completed its work and left for the studio.

Griffith-Republic Deal

The Griffith Circuit, operating 138 houses in Oklahoma and Texas, has signed a new season deal with Republic. James R. Grainger, Republic president, negotiated the deal. The distributor said this was Griffith's first new season product contract.

Miss Dragonette Leaves

Jessica Dragonette will leave Sunday via United Air Lines to open her Summer concert season in Milwaukee.

Short Subject Reviews

"Poland Forever"

(*World Pictures*)

THIS is a comprehensive resume of the part Poland played and is playing in the European conflict, first presenting shots of the country and its characteristic activities in pre-war time, running through the lightning attacks and siege of Warsaw and the diplomatic conferences and speeches which meant nothing to the stricken Poles, and finally depicting the armed forces of "Free Poland," which are now aiding England. The shots of the Nazis blasting the country from sea and air will have an emotion-stirring effect on sympathizers here. Photography, however, is poor and impairs the production considerably. The short is grim, and is a timely reminder of what has transpired over there. Running time, 20 mins.

'Stars—Past and Present'

(*Republic*)

Here's a fairly interesting item in the "Meet the Stars" parade, first visiting one of Hollywood's outdoor pools where Brenda Joyce, William Orr, Ilona Massey, Jane Russell and others are at play, and subsequently viewing a ten pins game between Cesar Romero and Patricia Morrison; Mary Martin being made more beautiful by Wally Westmore, and finally, the dedication of Republic's new sound studio to the memory of Mabel Normand with a number of stars of past and present in attendance. Some stock material with Miss Normand also is shown. Running time, 10 mins.

"Hiawatha's Rabbit Hunt"

(*Warners*)

Bugs Bunny and Hiawatha get together in this "Merrie Melody" cartoon and what goes on is enough to keep them laughing from the first sketch to the last. Schlesinger's new Bugs Bunny creation is extremely entertaining. Here Hiawatha undertakes to reduce Bugs to a bunny stew but after many amusing attempts the perplexed Indian retreats to his reservation. Running time, 7 mins.

"Hollywood Steps Out"

(*Warners*)

Personalities of the screen are seen in caricature while dining at Ciro's. The cartoon, a "Merry Melody," is very well done and appears good for lots of laughs. The Marx Brothers, Clark Gable, Bing Crosby, George Raft, James Cagney and numerous others are caricatured. Running time, 7 mins.

"A Coy Decoy"

(*Warners*)

The characters on book covers come to life; Daffy Duck courts a decoy duck and other such nonsense occurs in this Leon Schlesinger item. "The Westerner" in the person of Porky Pig is among the characters on view. The net result is moderate amusement. Running time, 7 mins.

Wheeler Says Net Contracts Should Be Subject to FCC

WASHINGTON, June 18.—Chairman Burton K. Wheeler of the Senate Interstate Commerce Committee at today's session of the committee in its inquiry into the monopoly phases of radio network operations, criticized the chains again and asserted that there is no question that if the networks can make five-year contracts they can make them for indefinite periods. He contended that such contracts give the chains a control over station operations which should be subject to commission approval.

Wheeler pointed out that CBS was the first to adopt the five-year contract and the time option, and agreed that it was logical for NBC to follow suit, particularly as CBS had "raided" NBC affiliates and taken others.

The testimony of Niles Trammell, president of NBC, dealt mostly with his own and his company's opposition views to those of the FCC. He denied that NBC was engaged in monopolistic activities.

BMI in Test Case To Clarify Rights

Broadcast Music, Inc., and Edward B. Marks Music Corp., yesterday brought suit in N. Y. Supreme Court against Ascap for a declaratory judgment. The action is described as a test case. No damages are sought, but the court is asked to ascertain the rights and "other legal relations" of the plaintiffs and Ascap in certain musical compositions.

Authors of the three compositions selected are all members of Ascap, except one. Marks resigned from Ascap at the end of last year and assigned performing rights in its catalogue songs to BMI. The suit is intended to clarify whether performing rights are the property of Ascap publisher members or Ascap composer members, so that the compositions involved will be available for performance. BMI to date has refrained from performance of works written by Ascap members, it was said.

Renew Time-Sharing For Two in Brooklyn

Washington, June 18.—The FCC today disposed of the "little Brooklyn cases" involving 11 stations or applicants by renewing the licenses of WCNW and WWRL on a time-sharing basis, with a warning that their public service records will be watched to determine whether the arrangement should be permanent. Propaganda will not be tolerated, the FCC warned. The FCC pointed out that this is an exception to its policy of not encouraging time-sharing, but held there was nothing in the record to warrant the deletion of either station at the instance of the other.

Off the Antenna

NILES TRAMMELL, president of NBC, will be chief speaker at the dedication of the new Dallas studios of WFAA-KGKO on Saturday. The ceremony will be broadcast over the NBC-Blue 8:30-9 P. M. CDST. G. B. Dealy, chairman of the board of the Texas station, will preside.

• • •

Purely Personal: *James Matthews, announcer for KGO and KPO, San Francisco, has returned to his post after recovering from a streptococcus infection . . . Buck Gunn, in charge of radio for the J. Walter Thompson agency, has returned to his desk after a lengthy illness . . . John Holbrook, announcer for WGN, Chicago, is to be married July 8 to Jeanne Jones in Greenville, N. C., where he was manager of WGTC. . . . James Cassidy, for the past three years with the WLW-WSAI, Cincinnati, press department, has been appointed director of special events, replacing Herbert Flaig, who has been named assistant to Robert E. Dunville, general sales manager. Flaig succeeds Eldon A. Park, recently promoted to WLW's New York sales staff.*

• • •

Morton Gould's symphonic orchestra and guest stars will substitute for the Major Bowes' amateur show tonight over CBS, 9-10 o'clock. Bowes, who entered Doctors Hospital on Tuesday, will undergo an operation this morning.

• • •

Program News: "News of the Week in Industry," General Electric business news program broadcast since May 15 over some NBC-Blue stations, will be carried additionally by short wave to Europe, Asia and Latin America, beginning June 19. The program will be transmitted in six languages over three G. E. short wave stations, WGEO and WGEA, Schenectady, and KGEI, San Francisco . . . Continental Baking Corp. will use 62 time signals weekly over WQXR, on behalf of Staff Bread. S. A. Schonbrunn & Co., Inc., for Savarin Coffee, has signed with WQXR for 60 station breaks weekly.

• • •

In Philadelphia: *Raymond Kay has joined the WIP announcing staff, He was formerly with WJRD, Tuscaloosa, Ala. . . . WIBG has extended its broadcasting day by half an hour and is now signing off at 9 P.M. . . . Bert Baylis has resigned from the Robinson Recording Laboratories to take an engineer's post at WSNJ, Bridgeton, N. J.*

Plans Large Scale Disc Use in Mexico

MEXICO CITY, June 18.—Emilio Azcarraga Co., operators of Station XEW and XEQ here, as well as the first run Cine Teatro Alameda, will offer a radio disc service on a large scale.

The company has organized XEEW, operated by a new subsidiary, Programas de Mexico, S. A., for the distribution of discs to 14 provincial radio stations. Station XEW has been given a top classification of A-1 among Mexican stations and has a free air channel. Its power is 100,000 watts.

WOR Now Bambro Corp.

ALBANY, June 18. — The corporate name of WOR has been changed from Bamberger Broadcasting Service to the Bambro Corp., according to papers filed here with the Secretary of State. In a designation filed at the same time, the company offices are listed at 1440 Broadway with J. R. Poppele, secretary, in charge. Capital stock is listed at $250,000 in $100 shares.

WTAM Wage Increase

CLEVELAND, June 18.—A 10 per cent wage increase for all announcers at WTAM here is provided in a new contract agreed to by NBC, which owns the station, and the American Federation of Radio Artists.

FCC Grants Permits For 4 FM Stations

WASHINGTON, June 18.—Construction permits for four new FM stations have been granted by the FCC to Standard Broadcasting Co., Los Angeles, for a 45,300-kilocycle station to cover 7,000 square miles; Muzak Corp., New York, for a 44,700-kilocycle station to cover 8,500 square miles; Interstate Broadcasting Co., New York, for a 45,900-kilocycle station to cover 8,500 square miles, and the City of New York Municipal Broadcasting System for a 43,900-kilocycle station to cover 3,900 square miles.

KWIM Power Increase

The commission also authorized Station KWIM, Willmar, Minn., to increase power from 100 to 250 watts, and ordered hearings on the applications of James F. Hopkins, Inc., for a new 1,600-kilocycle, 1,000-watt station at Ann Arbor, Mich., and Station WSAM, Saginaw, Mich., for change of frequency from 1,230 to 1,400 kilocycles, extension of time from specified hours to unlimited and increase of night power from 100 to 250 watts.

Utica Permit Asked

Construction permits for new stations were asked in three applications filed with the commission by the Utica Broadcasting Co., Inc., for a 1,450-kilocycle, 250-watt station at Utica, N. Y.; Norfolk County Broadcasting Co.. for a 1,490-kilocycle, 250-watt station at Norfolk, Va., and Bernard N. Walker for a 1,400-kilocycle, 250-watt station at Concord, N. C. An increase of power from 100 to 250 watts was asked in a petition filed by Station KGIW, Alamosa, Col.

Canadian Music Fee Total for 1941 Placed at $121,063

TORONTO, June 18. — The total amount which the Canadian Performing Rights Society, Ltd., may collect from broadcasting stations in Canada for 1941, according to the schedule of license fees approved by the Copyright Appeal Board, is $107,612. [illegible]s is at the rate of eight cents pe[illegible]ceiving set for 1,345,157 sets. The CPRS is an affiliate of Ascap in the United States.

BMI Canada, Ltd., is entitled to $13,451 for the year, based on an authorized fee of one cent per receiving set. The total music fee for Canada, therefore, is $121,063.

$39,654 in Ontario

In Ontario, a revenue of $39,654 for 520,503 may be collected. Twenty-seven of the 85 stations in Canada are located in Ontario, Quebec, with 17 stations and 318,387 receiving sets, is the second largest revenue producer for the Society with a contribution of $34,928 in fees, and British Columbia with 12 broadcasting units and 113,945 receivers, will pay $9,235 in fees for 1941.

Largest Fee from CBL

The largest annual fee for an individual station is $11,323, from CBL here, outlet of the Canadian Broadcasting Corp. The second largest for the Society is $9,486 from CBF, Montreal, while CFRB, most important independent unit here, will pay $9,058. Other large fee payments to the CPRS include: CBM and CKAC at Montreal, $7,589 each; CKCL, Toronto, $5,434; CFCF, Montreal, $4,553; CKY, Winnipeg, $3,845; CBY, Toronto, $3,623; CBR, Vancouver, $3,257; CKLW, Windsor, Ont.

'School' Demonstration

A demonstration of the classroom use of CBS "School of the Air of the Americas" will be given to an expected audience of 2,500 educators at the International Conference on the New Education Fellowship on the opening day, July 6, at Ann Arbor, Mich.

1,500 at NBC Outing

NBC's annual outing brought about 1,500 of the network's personnel to Hulett, L. I., yesterday. Sports events were on the program.

Weed Acts for Texas Net

The Texas State Network has named Weed & Co., as national sales representatives.

New CBS Series on U. S. Fighting Units

By remote pickup from various Army camps and forts, CBS beginning June 29 will broadcast a program describing the history of the nation's fighting units. The series will be called "Spirit of '41." The first will be from Fort Belvoir, Va., and will concern army engineering. William Slocum will be in charge.

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VOL. 49. NO. 120 NEW YORK, U. S. A., FRIDAY, JUNE 20, 1941 TEN CENTS

Majors Hold Off on Selling In Minnesota

Wait Decision on 5-Block; Film Shortage Seen

The distribution companies, caught between the Minnesota anti-block-of-five law and the Federal consent decree, will not sell new season's product in that state until a final decision on the validity of the state law has been handed down, it was stated yesterday.

Thus a product shortage for Minnesota theatres appears inevitable for the near future, due to the fact that trial of any action by the distributors against the state's anti-decree law could not be held before next September, it was indicated.

The distributors are averse to selling in Minnesota under a temporary injunction pending final determination of a suit to have the law declared invalid, due to the fact that in the event their court action is unsuccessful they would be liable for heavy

(*Continued on page* 6)

'Dragon' to Be Sold Singly, N.H. Reports

NEW HAVEN, June 19.—"The Reluctant Dragon," new Walt Disney feature to be released by RKO, will be sold singly, it is understood here. June 27 is the release date on the film.

Exchange officials here generally express the opinion that it will be discretionary with them whether pictures will be sold to certain exhibitors in specific deals singly instead of

(*Continued on page* 6)

Mono. Holders Buy Stock Held by Pathe

Monogram franchise holders, W. Ray Johnston, president, and Trem Carr, vice-president in charge of production, have consummated a deal by which they acquire the 65,866 2/3 shares of Monogram stock held by Pathe Laboratory, Inc., Johnston announced yesterday.

The deal, which gives the Monogram group approximately a 50 per cent holding in the company, was forecast by MOTION PICTURE DAILY on May 29.

U. A. Will Outline New Season Films At Meeting Monday

The new season's production program and selling plans of United Artists will be outlined at the first of five district meetings, to be held Monday and Tuesday at the Waldorf-Astoria here. Arthur W. Kelly, vice-president, will preside.

In attendance will be home office executives, Eastern representatives of U. A. producers, and the sales staffs of six Eastern exchanges. From the home office will be, besides Kelly: Harry L. Gold, vice-president and Eastern general sales manager; Haskell M. Masters, Western general sales manager; Harry D. Buckley, vice-president in charge of corporate affairs; Paul N. Lazarus, contract manager; Walter Gould, foreign sales chief; Monroe W. Greenthal, di-

(*Continued on page* 10)

Coast Unions Reject 40-Hour-Week Bid

HOLLYWOOD, June 19. — Business agents of the IATSE locals today rejected the proposal made by producers for an eight-hour day, five-day week at the studios. Negotiations with Pat Casey and Fred Pelton, producers' labor officers, are continuing, however, and further meetings on the unions' 16-point demands covering new wage scales and general conditions are scheduled.

RKO Men Set Fight Film Deals by Phone

Before returning to their home territories after the RKO sales convention, salesmen contacted their accounts by phone and arranged deals on the films of the Conn-Louis championship fight.

The film opened at Broadway houses yesterday afternoon, and prints were shipped by air express to key theatres around the country. The RKO meeting concluded yesterday with regional sessions conducted by Robert Mochrie, Eastern division manager; Cresson E. Smith, Western division head, and Leo Devaney, Canadian manager.

'Man Hunt' Paces B'way at $45,000

The biggest grosser of the week was the Roxy show, with "Man Hunt" on the screen and a stage presentation featuring Dennis Day. The attraction brought top business, which is estimated at $45,000, for the first week ending last night, and is continuing.

Broadway business otherwise was about normal. "Sunny" and a stage show drew about $75,000 at the Music Hall for the week and was replaced yesterday by "She Knew All the Answers."

"Tight Shoes" started at the Rialto

(*Continued on page* 6)

Cohen and Wife Tell Story Of Robin Moor's Sinking

By CHARLES S. AARONSON

Twelve days, 20 hours and 20 minutes in a small open boat somewhere on the South Atlantic. Waves mounting to a height of 15 feet. Whales sighted and sharks too close for comfort—and rescue only a hope and a prayer.

Sales Meeting Is Concluded by NSS

National Screen Service concluded its first annual national sales convention at the Waldorf-Astoria Hotel here yesterday, and the men from the various branches began returning to their homes last night.

George Dembow, vice-president in charge of sales, had presided at the four-day meeting. Yesterday morning's session was devoted to advertising accessories, and a brief afternoon concluding session was featured by the introduction to the sales force of the company's new neo art display.

That's something of the story of the survivors of the *Robin Moor*, American merchant ship torpedoed by a Nazi submarine in the Atlantic somewhere between the bulge of South America and the tip of South Africa. Among those survivors were Ben Cohen, Loew manager en route to operate the Metro Theatre at Durban, South Africa, and his wife, Berta, New Haven girl who went to Calcutta three years ago to marry Ben, then managing the Metro Theatre in that city of India.

The other day, Ben and his wife, safe in Capetown after rescue by a British freighter, talked to home over

(*Continued on page* 6)

Para. Merges 3 Exchanges In N. Y. Area

Kusell Is District Head; Executives to Coast

Paramount will consolidate its three metropolitan exchanges servicing New York City, Brooklyn and northern New Jersey (at Newark) into a single exchange, centered at the New York branch, as a means of increasing operating efficiency under the new decree selling system.

Milton S. Kusell will be district manager of the combined territories, and Harry Randel, present Brooklyn exchange manager, will be manager of the consolidated branch, it was announced yesterday by Charles M. Reagan, Paramount assistant sales manager.

Other changes will shift Myron Sattler, New York branch manager, to become exchange sales manager, and E. H. Bell, New Jersey branch manager, to a sales capacity with the exchange, it was further announced.

Executive Conferences Start at Studio Today

Executive conferences are scheduled to start at the studio today on the marketing of completed pictures,

(*Continued on page* 6)

NLRB Elections Set For N. Y. Publicists

WASHINGTON, June 18.—The National Labor Relations Board has ordered separate elections within the next 30 days for advertising and publicity employes of the eight major companies to determine whether they desire to be represented by the unaffiliated Screen Publicists Guild.

Those who will be permitted to vote in the elections on a date to be set by the New York Regional NLRB director are: advertising copywriters, press book editors and writers, publicity and feature writers, planters and

(*Continued on page* 6)

Four Reviews Today

From Hollywood: "San Antonio Rose," "Three Cockeyed Sailors," Page 6; "Hit the Road," Page 7. New York review of "Silver Stallion," Page 7. Key city grosses, Pages 7 and 10.

Coast Flashes

Hollywood, June 19

JOSEPH PASTERNAK, who has resigned as Universal producer, today was signed by M-G-M. He will report at the studio about Sept. 1, after he completes "Almost an Angel," Deanna Durbin picture.

•

Duke Clark, temporary chairman of the committee organizing a Variety Club here, today named John LeRoy Johnston, Charles Buckley, Robert H. Poole and Earl Collins to select 10 persons who will serve as a committee to apply to the Variety Clubs of America for a charter for the local "tent."

•

David Loew and Albert Lewin's next production for United Artists was announced today as "The Mating Call," a modern comedy of the advertising business. Ben Hecht is doing the script and Carole Lombard is being sought as the star.

•

Frank Seltzer on Monday will join Jesse L. Lasky as executive assistant. He is resigning from the publicity staff of the Association of Motion Picture Producers.

•

Darryl F. Zanuck returned today from Washington where he conferred with President Roosevelt and defense officials regarding the training films program.

•

The national Federation of Music Clubs convention which opened here today will honor music contributions in films by stars, composers, conductors and others at a session in Hollywood Bowl Saturday night. Trophies will be presented to those given the distinction. About 10,000 are reported to be attending the meeting from 5,000 clubs in the United States.

Club Plans Benefit

INDIANAPOLIS, June 19.—Kenneth T. Collins, chief barker, is chairman of the local Variety Club's sponsorship of "Opera Under the Stars" here July 9 and 10. Co-chairmen are Arthur Landes and Marc J. Wolf. The presentation first was planned for June 25 and 26. Proceeds go to the club's philanthropic work.

FWC Cuts Prices For Service Men

Los Angeles, June 19.—Special reduced admission prices for uniformed members of the Army, Navy and Marine Corps at Fox West Coast Theatres in California were announced today by Charles P. Skouras, operating head of the circuit. The new scale, which will go in effect Sunday throughout the circuit of some 200 theatres, will afford up to 50 per cent reductions for service men.

Personal Mention

JACK COHN, vice-president of Columbia, and MRS. COHN, leave tonight to attend the exercises at the University of Michigan in Ann Arbor, where their son, ROBERT, will graduate.

•

ARTHUR ISRAEL, JR., assistant to BARNEY BALABAN, Paramount president, observed a birthday yesterday, marked by the receipt of a record number of "kiddiegrams" from his associates.

•

W. F. RODGERS, M-G-M general sales manager, was in Portland, Me., yesterday.

•

MOE LEFTOFF of Metropolitan Photo Service became a father yesterday. MRS. LEFTOFF and a baby boy are at Israel Zion Hospital in Brooklyn.

•

JOHN MONROE, operator of the Forepaughs, Philadelphia, and Variety Club officer, is ill in Abington Memorial Hospital.

•

LEO WEISZ, artist for Warner Theatres in Philadelphia, became the father of a son born this week at Jewish Hospital there.

•

ALICE FRANCES of the United Artists New Haven exchange, and MARGUERITE WALLINGER of the 20th Century-Fox branch there, leave next week for a vacation in Florida.

•

ADELINE COVELLO of the New York Film Board of Trade and PETER ASTRELLO are to be married Sunday in Tuckahoe, N. Y. They will honeymoon in Maine.

W. A. SCULLY, Universal vice-president and general sales manager; W. J. HEINEMAN, assistant sales manager, and E. T. GOMERSALL, Western sales manager, have returned from the Coast.

•

JESSE LASKY is due here from the Coast on Monday.

•

RALPH B. AUSTRIAN, assistant vice-president of the RCA Manufacturing Co., has left for a three-week visit to the Coast.

•

VINCENT TROTTA of Advertising Accessories, Inc., leaves tonight for Atlantic City to act as a judge in the selection of "Miss Atlantic City."

•

WILL YOLEN has returned to the Warner home office from the Coast studio.

•

HARRY KAPLOWITZ, assistant to SAM E. MORRIS at Warners, and ROSE JUST will be married on Sunday at Mineola, L. I.

•

ABE RESNICK, manager of the Hamilton Theatre, Philadelphia, was operated upon this week for appendicitis.

•

CHARLES JUDGE, assistant manager of the Trans-Lux Theatre, Philadelphia, is the father of a daughter, born this week.

•

DUKE MITROVICH, who closed the Linda Theatre, Marysville, Cal., recently, has moved to Alaska.

•

SAMMY FAIN and SALLY FOX were married yesterday in the Bronx.

Boston Club to Hold Golf Party Monday

BOSTON, June 19.—The local Variety Club will hold its first annual golf and lawn party at the Pinebrook Valley Country Club, Weston, Mass., on Monday. Martin J. Mullin is chief barker of the club. Golf and tennis in the afternoon will be followed by dinner and dancing in the evening. Golf awards and a raffle will feature the dinner party.

Mayor and Mrs. Maurice J. Tobin of Boston have been invited as honor guests. Co-chairmen of the affair are Edward Ansin and Al Kane. Hy Fine will be master of ceremonies and Maurice Green is golf committee chairman.

Club Quarters Cooled

CHARLOTTE, N. C., June 19.—The local Variety Club quarters have been air-conditioned. James Pritchett, chairman of the entertainment committee, is preparing plans for new Summer activities. Mr. and Mrs. Sam Trincher were hosts recently at a club party in honor of Mrs. J. V. Williams of Summerville, S. C.

K. C. Club Party July 28

KANSAS CITY, June 19.—The annual outdoor party of the Variety Club will be held July 28, at the Ivanhoe Country Club. This is a semi-public event, with tickets available for Club members, their families and friends.

Clearance Complaint Is Filed in Chicago

CHICAGO, June 19.—Chicago's third arbitration case, the first filed here since February, was brought today by James Steininger, operator of the Lawn Theatre, on clearance against all five consenting companies.

The complaint names the Marquette, Colony and Highway, all operated by Joseph Stern, as interested parties. It contends that in view of the Lawn's admission scale, the clearance granted the three competitors is unreasonable. The arbitrator is asked to find that the Lawn is entitled to play in second week of city release, instead of its present schedule of two to five weeks later.

Browne Arraignment In U.S. Court Today

George Browne, president of the IATSE, is scheduled to appear today before Federal Judge Edward A. Conger in the U. S. District Court for arraignment in the Government suit which charges Browne and William Bioff with extorting $550,000 from four major motion picture companies.

McConnell to Warners

KANSAS CITY, June 19.—Robert McConnell, with Warners here a few years ago, has returned as a salesman in northern Kansas succeeding Russell Borg, transferred to Omaha as branch manager.

Newsreel Parade

THE first newsreel films of the Bismarck battle in the Atlantic are in the new issues. The full contents follow:

MOVIETONE NEWS, No. 82—*Bismark* sunk in the Atlantic. Churchill addresses Allies. James Roosevelt in Egypt. LaGuardia on air raids. Summer fashions. Jalopy race in Albany.

NEWS OF THE DAY, No. 280—Churchill's talk. *Robin Moor* survivors in Brazil. James Roosevelt in Egypt. Darryl Zanuck delivers training films to Washington. Fashions. Wild geese in North Carolina. Chimpanzee and dog wrestle in Florida.

PARAMOUNT NEWS, No. 85—Colorado College co-eds climb mountain. Navy Secretary Knox emphasizes American stand at Montreal. James Roosevelt in Libya. Scenes of Iraq fighting. Haile Selassie returns to throne. Fleet that sank *Bismarck* returns to port. Churchill pledges finish fight.

RKO PATHE NEWS, No. 85—*Bismarck* sunk. Iraq oasis falls to British Army. Haile Selassie returns to throne. John and James Roosevelt on duty. Liner *America* is now *U.S.S. West Point*. LaGuardia explains defense. Hollywood stars invade Fort Ord, Cal. Soldiers race with full packs at Newton, Mass.

UNIVERSAL NEWSREEL, No. 990—Sink *Bismarck*. Haile Selassie returns to throne. Three firemen die in Chicago fire. Defense plan explained by LaGuardia. Envoy returns with *Robin Moor* story. Rush super-bombers at Philadelphia. John Roosevelt joins the Navy. New style in tin hats at Fort Benning, Ga. *America* ready for action. Billy Conn defeated by Joe Louis. Air circus at Bethlehem, Pa.

Early Exhibitor Dies

Frederick H. Ponty, 67, who early in 1900 opened the Arcade, first vaudeville and motion picture house at the old Rye Beach Amusement Park, died yesterday at Rye, N. Y. He engaged in other types of show business and with Joseph Haight operated Paradise Park, predecessor of Playland, Westchester County amusement park.

Rites for Getschall Kin

Funeral services for Charles J. Kojan, 84, grandfather of Bud Getschall, Paramount publicist, will be held this morning. Burial will be at Mount Neboh Cemetery, Brooklyn. Kojan was well known in local newspaper circles.

MOTION PICTURE
DAILY

(Registered U. S. Patent Office)

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Hey, Madeleine, the boys in the field say we've done it again!
Let me get an earful, remember I'm in the picture, too!

We'll say they're terrific!

Just look at these reports from seven key engagements ...with more good news coming in by the hour!

SPRINGFIELD . . .	First three days even with "Lady Eve"!
DETROIT	First three days leading "Lady Eve"!
CHICAGO	First three days even with "Lady Eve"!
KANSAS CITY . . .	First week even with "Lady Eve"! First three days of second week 14% ahead!
LOS ANGELES . . .	First week even with "Lady Eve"! First four days of second week 10% ahead!
LITTLE ROCK . . .	First two days 18% ahead of "Lady Eve"!
DENVER	Now in third week, and business to date is ahead of first week!

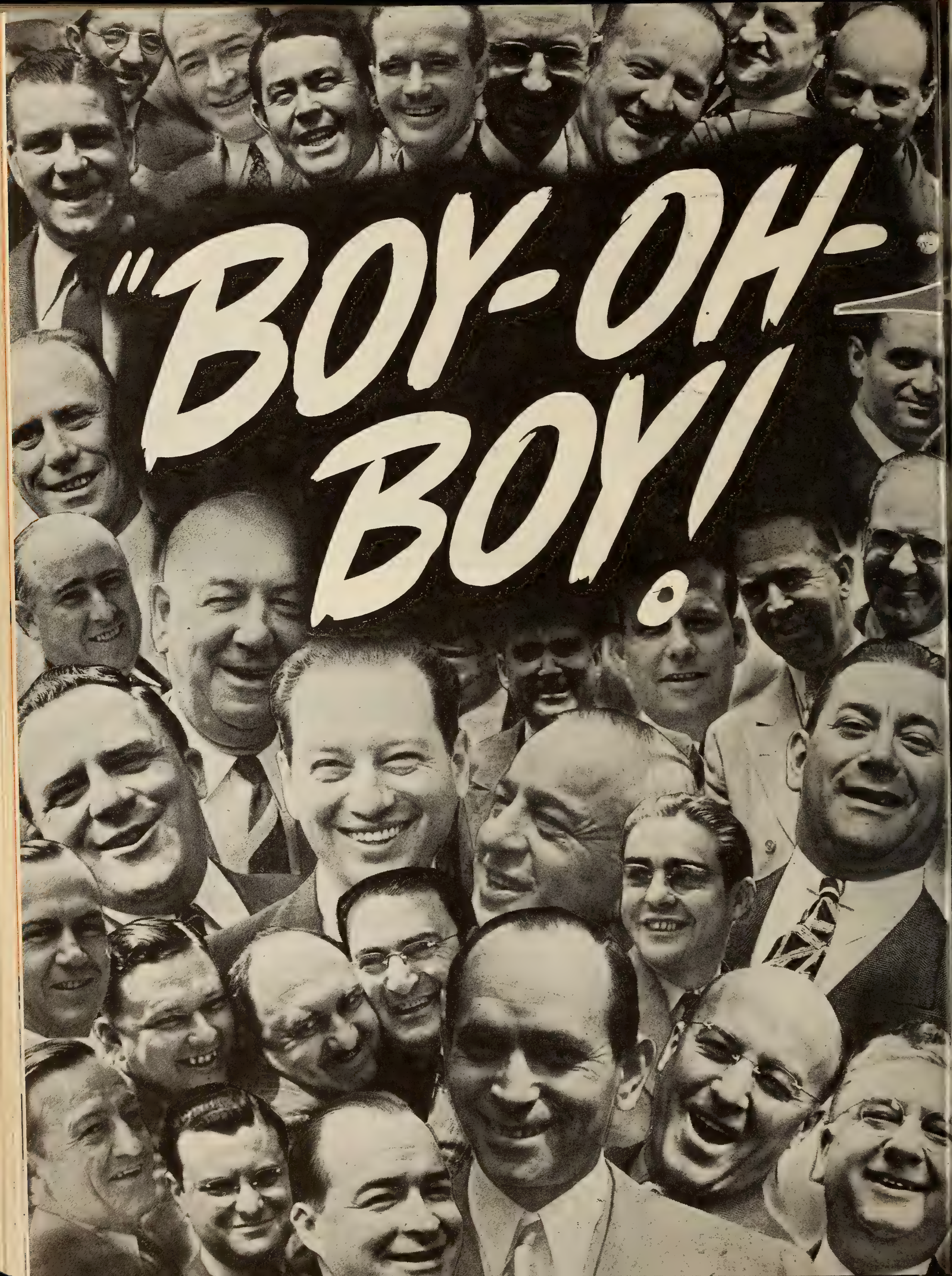
DEPEND ON PARAMOUNT TO GIVE YOU THE WINNERS!

Fred **MACMURRAY**
Madeleine **CARROLL**

"ONE NIGHT IN LISBON"

with Patricia Morison · Billie Burke · John Loder · Dame May Whitty · Edmund Gwenn · Reginald Denny · Billy Gilbert

Edward H. Griffith


"BOY-OH-BOY!"

WE'VE JUST SCREENED OUR NEXT 8 BIG ONES AT THE RKO CONVENTION!"

We'll be seeing you about . . . . .

WALT DISNEY'S ***"THE RELUCTANT DRAGON"***

FRANK BUCK'S ***"JUNGLE CAVALCADE"***

GINGER ROGERS in ***"TOM, DICK AND HARRY"***

RONALD COLMAN in ***"MY LIFE WITH CAROLINE"***

All-Star ***"PARACHUTE BATTALION"***

CARY GRANT AND **JOAN FONTAINE** in ***"BEFORE THE FACT"***

All-Star Cast in ***"THE DEVIL AND DANIEL WEBSTER"*** (TENTATIVE TITLE)

ADOLPHE **MENJOU** and GLORIA **SWANSON** in ***"FATHER TAKES A WIFE"***

PLUS THAT NEW STREAMLINED **PATHE NEWS**

Para. Merges 3 Exchanges In N. Y. Area

(*Continued from page* 1)

production plans for the new season and the new sales setup under the consent decree.

Barney Balaban, Paramount president; Stanton Griffis, chairman of the executive committee, and Paul Raibourn left by plane last night and are due in Hollywood today. Adolph Zukor, John W. Hicks and Russell Holman arrive at the studio today by the train. Neil F. Agnew and Robert M. Gillham are expected to leave by plane Monday night.

Agnew at Portland Trial

Agnew was delayed due to the fact that his testimony is required today in the trial of the Waldo Theatre anti-trust suit against major distributors now in progress in Federal court at Portland, Me.

The home office executives are expected back in New York in about 10 days. At the studio they will see the eight or nine completed new season pictures.

The annual meeting of the Paramount board of directors scheduled for yesterday has been postponed to July 10.

NLRB Elections Set For N. Y. Publicists

(*Continued from page* 1)

contact men, production men, salaried artists and exploitation men who work within New York State. Excluded from voting were: free-lance writers and artists and similar workers, foreign publicity men, stenographers, secretaries, clerks, messenger boys and delivery boys. The Guild has admitted some of these categories to membership.

The elections will determine representation for individual companies only.

Guild Taking Steps On Those Excluded

The executive council of the SPG issued the following statement yesterday: "While the NLRB did not sustain the Guild's contention that foreign publicists and piece-work artists are appropriately within the unit, the Guild is taking the necessary steps to insure the participation of these groups in contract negotiations."

A special membership meeting of the Guild has been called for next Wednesday.

'Man Hunt' Paces B'way at $45,000

(*Continued from page* 1)

yesterday, succeeding "The Saint's Vacation," which did about $4,500 for the week.

"Broadway Limited" finishes a week's run at the Globe tonight with an estimated $5,000 expected. "Underground" starts tomorrow.

Hollywood Reviews

"San Antonio Rose"

(*Universal*)

Hollywood, June 19

UNIVERSAL'S "San Antonio Rose" is a musical comedy designed to please audiences in search of light entertainment anywhere and everywhere. Modestly budgeted as one of the series of musicals based on old time song titles, the picture packs a wallop that few of its type do. It is the story of a group of impoverished entertainers taking over a road house and running it, despite opposition from a competitor who resorts to strong arm methods to hamper their plans.

Chiefly responsible for the picture's success in delighting the preview audience were The Merry Macs, radio singing stars; Jane Frazee, Robert Paige, Eve Arden, Lon Chaney, Jr., and Shemp Howard, the latter two playing strong arm men who seek to coerce the entertainers to leave.

Nine musical numbers are crammed into the picture, with "The Hut Sut Song," already one of the top popular tunes, and "Bugle Woogie Boy," a great possibility, getting the biggest preview audience hand. Others, listed for purposes of exploitation, are "San Antonio Rose," "Mexican Jumping Bean," "You're Everything Wonderful," "Hi, Neighbor," "You've Got What It Takes," and "The Old Oaken Bucket." The first and the last are "swung."

Charles Lamont directed and Ken Goldsmith produced. "San Antonio Rose" has all the earmarks of what is known as a "sleeper."

Running time, 63 minutes. "G."* VANCE KING

"Three Cockeyed Sailors"

(*Ealing-United Artists*)

Hollywood, June 19

THIS comedy of the sea should have great appeal to American lovers of the zany type of comedy with which they are already familiar.

Produced at the Ealing studios in England, and bought by Edward Small for distribution here through United Artists, the picture has as its principals Tommy Trinder, Michael Wilding and Claude Hulbert (the title trio), Carla Lehmann, who lends the film much as its romantic interest, and James Hayter.

The "three cockeyed sailors" get that way while on leave from their battleship, the British *Ferocious.* By mistake, and helped by their condition, they land aboard the German pocket battleship which the *Ferocious* has been hunting. From there on, as they take over the ship and eventually surrender it to their own, the laughs come fast. The preview audience, composed of some 200 exhibitors, found the picture so much to their liking that they drowned dialogue by the volume of their hilarity.

Michael Balcon produced and Walter Forde directed the picture, with emphasis on humor and no propaganda save that incidental to the telling of a story which has a Navy background.

Running time, 75 minutes. "G."* W. S.

**"G" denotes general classification.*

Cohen and Wife Tell Story Of Robin Moor's Sinking

(*Continued from page* 1)

an NBC hookup from the studios of the South African Broadcasting Corp. in Capetown. It was in the form of an informal chat, with the South African announcer helping to keep the conversation going. Captain Myers of the *Robin Moor*, Chief Engineer Elrod and Chief Officer Mundy recounted their experience briefly, at which point a three-cornered conversation ensued, with Cohen, his wife, and the announcer participating.

Cohen began by greeting his country and his family in New York, and indicating that his wife was beside him, as she had been through the days in the open boat and the 14 days in the rescuing British freighter, before they were landed at Capetown.

Mrs. Cohen entered the conversation to thank the broadcasters, greet her family, and declare that "we are in perfect health, happy and safe." She recounted that on the day the ship was torpedoed they were awakened at 5 A.M. after a late poker game and very few hours' sleep. Mrs. Cohen said the announcement that a submarine was nearby was at first taken as a joke.

Torpedo Struck 'S'

Mrs. Cohen described her impression that the torpedo which sank the ship after the passengers and crew were in life boats struck the "S" in the middle of the "USA" painted with the American flag on the side of the *Robin Moor.*

Cohen paid tribute to the skill of Chief Officer Mundy who guided the small boat without charts or any instruments except a small ship's compass, and who did much to keep up the morale of the lifeboat's occupants. "He was great," said Mrs. Cohen. She recounted that with pad and pencil she had taken along (all their effects were lost) she kept a brief diary of the passing days until rescue came.

Thirst Terrifying

The "terrifying thirst," said Mrs. Cohen, left the deepest impression on her mind. "When it rained we would lie on our backs with our mouths open, hoping to catch a trickle of rain water." The topic of conversation in the boat for the most part concerned food, said Cohen. It was three hours from the time the rescue ship was sighted until the survivors were picked up, Cohen said, and it was two hours after they had sighted the British ship that it sighted them. "You can't imagine how we felt when we climbed up the swinging boat ladder of the rescue ship," Mrs. Cohen concluded.

Majors Hold Off on Selling In Minnesota

(*Continued from page* 1)

fines under the anti-five-block law.

Spokesmen for some of the distributors involved asserted that the revenue from the Minnesota territory is not great enough to warrant the companies exposing themselves to such fines. They assert that, while they may proceed with the filing of an action for declaratory judgment against the anti-decree law within the next 10 days or two weeks, they may not ask for a temporary injunction at that time and probably would not avail themselves of it if granted.

Para. Circuit Unaffected

Also, it is pointed out that the distributors' largest account in the state, the Minnesota Amusement Co., has franchises with most of them which are not affected by either the decree or the state law. The company is a subsidiary of Paramount and, as such, can buy all of that company's output in conformance with both the decree and the state law. Therefore, to all appearances, the largest theatre operation in the state may be the only one to escape a product shortage, according to observers.

Alleviation of the problem by legislative action, either modification or repeal, is impossible since the Minnesota legislature has adjourned and is not scheduled to convene again until 1943.

'Dragon' to Be Sold Singly, Reports Say

(*Continued from page* 1)

in blocks, but that otherwise no uniform policy of single sales will be adopted.

'Dragon' Single in Des Moines

DES MOINES, June 19.—RKO will follow its usual custom with Disney features, and sell "The Reluctant Dragon" singly, it was indicated here. Other exchanges report they are not selling films singly, except Monogram, which does so when advisable.

Governor Vetoes Conn. Gambling Bill

Hartford, Conn., June 19.—Gov. Robert E. Hurley has vetoed the gambling bill, "sneaked" through the state legislature on closing day, permitting resumption of gambling wheels at resorts, and it is believed, games of chance at theatres as well.

'Woman,' Show Hit In Washington Lull

WASHINGTON, June 19.—"A Woman's Face" was the redeeming feature of a mediocre week. In conjunction with a vaudeville bill at Loew's Capitol, the film took $23,500. "Road to Zanzibar" drew $4,200 in a return engagement at Loew's Columbia.

Estimated receipts for the week ending June 11-15:

"I Wanted Wings" (Para.)
LOEW'S PALACE—(2,300) (39c-55c) 7 days. Gross: $13,500, (Average, $15,000)
"A Woman's Face" (M-G-M)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On Stage: Major Bowes' Sixth Anniversary Party. Gross: $23,500. (Average, $15,500)
"Reaching for the Sun" (Para.)
WARNER'S EARLE — (2,200) (28c-39c-55c-66c-77c) 7 days. On Stage: Victor McLaglen, Hector & Pals, Margery Daye, Siggy Lane, Roxyettes. Gross: $11,400. (Average, $15,000)
"Fantasia" (RKO)
NATIONAL — (1,693) (55c-75c-$1.10-$1.65) 7 days, 5th week. Gross: $8,500.
"Road to Zanzibar" (Para.)
LOEW'S COLUMBIA—(1,250) (28c-44c) 7 days, 2nd week, return engagement. Gross: $4,200. (Average, $3,500)
"Citizen Kane" (RKO)
RKO-KEITH'S — (1,834) (75c-$1.10-$1.65) 7 days, 4th week. Gross: $4,500.
"Meet John Doe" (W.B.)
WARNER'S METROPOLITAN — (1,600) (28c-44c) 7 days, return engagement. Gross: $5,100. (Average, $4,000)

'Blood and Sand' $13,700 in Buffalo

BUFFALO, June 19. — "Blood and Sand," on a double bill at the Buffalo, led here with $13,700. "Pot O' Gold" and "A Very Young Lady" took $8,800 at the Great Lakes.

Estimated receipts for the week ending June 12:

"Blood and Sand" (20th-Fox)
'The Bride Wore Crutches" (20th-Fox)
BUFFALO—(3,498) (30c-55c) 7 days. Gross: $13,700. (Average, $12,000)
"Pot O' Gold" (U. A.)
"A Very Young Lady" (20th-Fox)
GREAT LAKES—(3,000) (30c-55c) 7 days. Gross: $8,800. (Average, $7,500)
"Billy the Kid" (M-G-M)
"There's Magic in Music" (Para.)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $6,700. (Average, $6,800)
"Sunny" (RKO)
"A Shot in the Dark" (W. B.)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Gross: $6,900. (Average, $7,500)
"She Knew All The Answers" (Col.)
"The Great Swindle" (Col.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $5,000. (Average, $6,300)

To Keep House Open

CHICAGO, June 19.—A charter has been issued to the Auditorium Music Foundation, non-profit organization which proposes to keep the Auditorium Theatre, hotel and office building in operation. The property has been threatened with demolition because of indebtedness, mainly back taxes.

Feature Reviews

"Hit the Road"

(Universal)

Hollywood, June 19

SOMEWHAT scrambled as to story, and rough as to handling, this mixture of comedy and melodrama flavored with gangsterism, misses on both of these and several other counts.

The story opens with a reform school officer giving four incorrigibles of adolescent age, plus a smaller boy, into the care of a gangster in whose employment the fathers of the four boys have been rubbed out by a rival mobster. The gangster, released from prison after serving a 10-year term, has taken to the straight and narrow path, but his former rival has not. Neither do the five boys want to. After much aimless and artificial activity stressing the incorrigibility of the youngsters, the reformed criminal stays reformed and the boys follow his example.

The cast is composed of Gladys George, Barton MacLane, Billy Halop, Huntz Hall, Gabriel Dell, Bernard Punsly, Bobs Watson, Evelyn Ankers, Charles Lang, Shemp Howard, Walter Kingsford, Edward Pawley and others.

Ken Goldsmith produced and Joe May directed.

Running time, 62 minutes. "G."* ROSCOE WILLIAMS

"Silver Stallion"

(Monogram)

A MINOR Western by Edward Finney, producer and director, "Silver Stallion" is in effect a series of clips on wild horses stampeding or roaming the range, spliced into a confused story of three horse thieves continually on the dodge from the law. An abundance of sentiment in the attachment of one to his horse also is worked in.

David Sharpe, LeRoy Mason and Chief Thundercloud comprise the trio; Thornton Edwards and Walter Long are other outlaws with whom they join forces, and Janet Waldo is the girl who owns some horses. Additionally, she and Sharpe have a mutual interest in each other.

Running time, 55 minutes. "G."*

**"G" denotes general classification.*

St. Louis Grosses In General Slump

ST. LOUIS, June 19.—Business is still below average and three days of rain and unusually cold weather hurt. "In the Navy" and "Blood and Sand," at the Missouri, only bill above average, drew $5,000.

Estimated receipts for the week ending June 12:

"One Night in Lisbon" (Para.)
"There's Magic in Music" (Para.)
AMBASSADOR — (3,018) (28c-39c-44c-56c) 7 days. Gross: $8,000. (Average, $11,500)
"I Wanted Wings" (Para.)
"The Black Cat" (Univ.)
FOX—(5,038) (20c-30c-40c) 7 days. Gross: $10,800. (Average, $11,000)
"The Great American Broadcast" (20th-Fox)
"The Model Wife" (Univ.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,800. (Average, $2,600)
"In the Navy" (Univ.)
"Blood and Sand" (20th-Fox)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,000. (Average, $4,000)
"Pot o' Gold" (U.A.)
"The Trial of Mary Dugan" (M-G-M)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $8,000. (Average, $13,000)

Para. Drops 'Parson' From June Schedule

Paramount has withdrawn "The Parson of Panamint," Harry Sherman production, from its June release schedule. A special advertising and exploitation campaign is planned prior to its release, Neil F. Agnew, vice-president in charge of distribution, said yesterday.

A world premiere of the picture at Salt Lake City, July 4, with the producer and members of the cast in attendance, is under consideration.

'Draft' Takes Good $18,500, Leads Boston

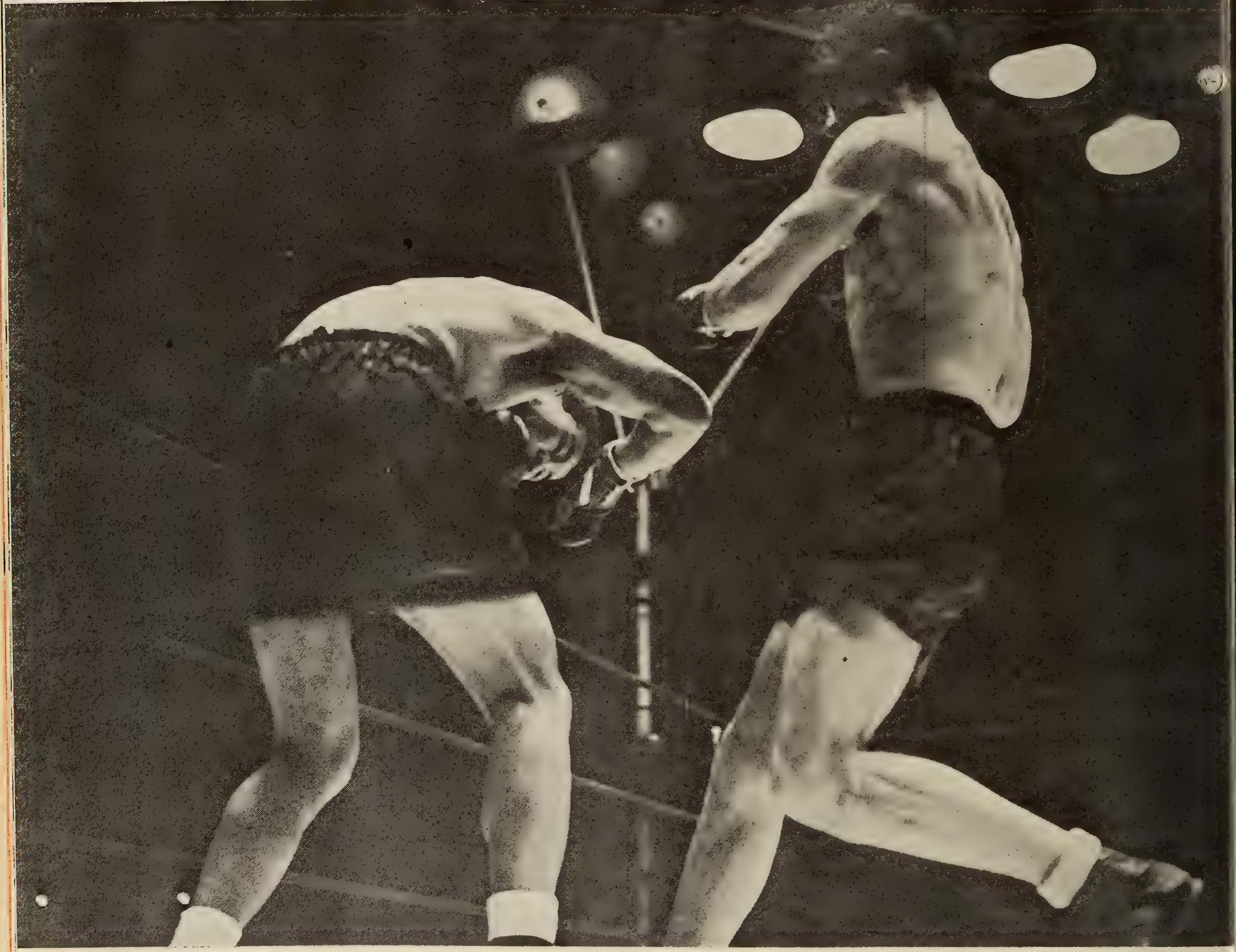
BOSTON, June 19.—"Caught in the Draft" coupled with "There's Magic in Music" gave the Metropolitan $18,500. "Sunny" and "Tight Shoes" at the Keith Memorial grossed $4,700.

Estimated receipts for the week ending June 11:

"The Black Cat" (Univ.)
"The Saint's Vacation" (RKO)
KEITH BOSTON—(3,200) (28c-44c-55c) 7 days. Gross: $4,200. (Average, $8,000)
"Sunny" (RKO)
"Tight Shoes" (Univ.)
KEITH MEMORIAL—(2,907) (28c-33c-44c-55c) 7 days. Gross: $14,700. (Average, $16,000)
"Caught in the Draft" (Para.)
"There's Magic in Music" (Para.)
METROPOLITAN—(4,367) (28c-39c-44c-55c) 7 days. Gross: $18,500. (Average, $15,500)
"Blood and Sand" (20th-Fox)
"The Cowboy and the Blonde" (20th-Fox)
PARAMOUNT—(1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $7,100. (Average, $7,500)
"Blood and Sand" (20th-Fox)
"The Cowboy and the Blonde" (20th-Fox)
FENWAY—(1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $3,400. (Average, $4,500)
"Meet John Doe" (W. B.)
"Strange Alibi" (W. B.)
SCOLLAY—(2,500) (28c-39c-44c-55c) 7 days, 3rd run. Gross: $3,500. (Average, $4,000)
"Love Crazy" (M-G-M)
"Rage in Heaven" (M-G-M)
LOEW'S STATE—(3,000) (28c-33c-44c-55c) 7 days. Gross: $10,100. (Average, $12,000)
"Love Crazy" (M-G-M)
"Rage in Heaven" (M-G-M)
LOEW'S ORPHEUM—(2,900) (28c-33c-44c-55c) 7 days. Gross: $13,400. (Average, $17,500)

Puddin' Head
A REPUBLIC PICTURE
NICHOLAS: "Marie will show you to the powder room."
JUDY: "Is there gonna be shootin'?"
JUDY CANOVA with
FRANCIS LEDERER
RAYMOND WALBURN · "SLIM" SUMMERVILLE
EDDIE FOY, JR. · ASTRID ALLWYN · ALMA KRUGER · HUGH O'CONNELL · "CHIC" CHANDLER
JOSEPH SANTLEY—Director · Screen play by Jack Townley and Milt Gross · Original Story by Jack Townley

EXCLUSIVE FIG



THE MOST SENSATIONAL BLOW-

**13 rounds of the fastest fistic
terrific twelfth when the Heavy
balance . . . and the knockout tha**

PHONE, WIRE OR WRITE YO

HT PICTURES!

BILLY
CONN
VS.
JOE
LOUIS

Y-BLOW THRILLS OF THE YEAR!

---

ction ever filmed, including the
eight Championship hung in the
saved the Brown Bomber's crown!

R NEAREST RKO EXCHANGE!

MBS Submits New Contracts For Affiliates

WASHINGTON, June 19.—Mutual Broadcasting System today submitted to the FCC for approval a new form of contract to be made with affiliated stations, designed to meet the requirements of the new networks regulations.

The new contract (a) is non-exclusive; (b) contains no provision for option time; (c) gives stations the right to determine their affiliation at yearly intervals, and (d) insures station responsibility in the selection and rejection of programs.

Announcing receipt of the new form, the commission said it has not formally passed upon its validity and will study the network-station relations which it would set up, but that it believes "the new Mutual network form of affiliation contract, as it understands the operations intended thereunder, will be in compliance with the letter and spirit of the regulations."

It was disclosed that the commission was not unanimous in its position on the contract, Commissioners Craven and Case, who opposed the new regulations, dissenting.

Ross Declines Post On Equity Council

Robert Ross, director of the St. Louis Municipal Theatre, who was elected to the Actors Equity council last Monday, has refused the nomination, Bert Lytell, Equity president, disclosed yesterday. Ross was one of eight councillors named as replacements for those who resigned in protest against "subversive" groups in Equity. He declined the post because of the election of such elements.

Equity has asked Raymond Massey, who is in Los Angeles, to take the vacated council post. Five newly elected councillors have accepted and two, out of town, have not been heard from.

IRNA and Others Oppose FCC Rules

Washington, June 19.—Paul W. Morency, vice-chairman of the Independent Radio Network Affiliates; John J. Gillin, Jr., general manager of WOW, Omaha; Samuel Cook, president of WFBL, Syracuse, and Neville Miller, president of the National Association of Broadcasters today added their opposition to the FCC monopoly regulations at the hearing of the Senate Interstate Commerce Committee. All followed the same lines of opposition as expressed previously by the representatives of NBC and CBS, the two leading chains principally affected by the regulations.

WOW is an NBC affiliate station. WFBL is a CBS affiliate.

Off the Antenna

VINCENT CALLAHAN, chief of the radio and press section of the Defense Savings Staff of the U. S. Treasury Department on Tuesday evening at the Barberry Room will meet the press to discuss the full-hour program which the Treasury Department will put on, beginning July 2, to promote the sale of defense bonds and stamps. The time is the Fred Allen spot on Wednesday evenings, donated by the Texas Co., while Allen is off the air.

• • •

Purely Personal: *Major Edward Bowes was reported resting comfortably at Doctors Hospital after an operation yesterday . . . Lewis LaMar, announcer at WGN, Chicago, has been named farm editor of the station . . . Pat Barrett, known on the air as "Uncle Ezra," is recuperating at his farm at Hebron, Ill., from a throat infection . . . KYW, Philadelphia, has added four new announcers, James McCann, Roy Neal, George Edwards and Alwyn Bach . . . Stanford Lewis has been named production chief at WFPG, Atlantic City . . . Red Barber and Bob Elson will announce the all-star baseball game over Mutual from Detroit on July 8 . . . William Hackemann on June 27 will resign as assistant manager of building operations for CBS to join the Grumman Aircraft Engineering Corp. Hackemann and Iris E. Stout will be married next Thursday . . . Dr. James R. Angell, NBC education counselor, today will address the New Hampshire Bankers convention at the New Hampshire State University, Durham.*

• • •

Program News: Two Mutual daytime script shows change their times beginning Monday. "Edith Adams' Future," now heard 1:15-1:30 will be broadcast a half hour earlier, and "Helen Holden, Government Girl," now aired 1:30-1:45 will be heard 15 minutes earlier . . . The Norwich Company will sponsor a new half-hour show over the Yankee network beginning June 30, titled "What Burns You Up"" The program, featuring Frances Scott, will be broadcast 9:30-10 P.M. . . . WOR will add another news program to its schedule June 30. Prescott Robinson will present the news 2:30-2:45 P.M. Mondays through Friday . . . A new series of musical quiz programs, "Platterbrains," starts over WMCA June 27, 10-10:25 P.M. . . . Beginning Tuesday Latin America will hear the Philharmonic Symphony concerts twice weekly from Lewisohn Stadium here. The CBS international station, WCBX, will short-wave the concerts Tuesdays 8:30-10:30 and Fridays 9:30-10:30.

'Serenade' Scores $7,500, Montreal

MONTREAL, June 19.—"Penny Serenade" drew $7,500 at the Palace in a slow week. "Fantasia" took $6,500 in its second week at His Majesty's.

Estimated receipts for the week ending June 12:

"Fantasia" (Disney)
HIS MAJESTY'S—(1,000) (43c-66c-88c-$1.32) 7 days, 2nd week. Gross: $6,500.
"That Uncertain Feeling" (U. A.)
"Lucky Devils" (Univ.)
ORPHEUM—(1,000) (30c-40c-60c) 7 days. Gross: $3,000. (Average, $4,000)
"I Wanted Wings" (Para.)
LOEW'S—(2,900) (35c-47c-67c) 7 days. Gross: $6,500. (Average, $7,000)
"Penny Serenade" (Col.)
PALACE—(2,200) (30c-45c-62c) 7 days. Gross: $7,500. (Average, $7,000)
"Million Dollar Baby" (W. B.)
"The Nurse's Secret" (W. B.)
CAPITOL—(2,800) (30c-45c-62c) 7 days. Gross: $4,000. (Average, $4,000)
"Model Wife" (Univ.)
"Golden Hoofs" (Univ.)
PRINCESS—(2,200) (30c-40c-53c) 7 days. Gross: $2,200. (Average, $2,500)

'Navy' Tallies Big $13,000, Baltimore

BALTIMORE, June 19.—Business was only fair here. "In The Navy" drew a good $13,000 at Keith's.

Estimated receipts for the week ending June 12:

"Love Crazy" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days, 2nd week. Gross: $11,000. (Average, $10,000)
"In the Navy" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days. Gross: $13,000. (Average, $9,000)
"Blood and Sand" (20th-Fox)
NEW—(1,581) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $8,000. (Average, $7,000)
"Adventure in Washington" (Col.)
HIPPODROME — (2,205) (15c-28c-39c-44c-55c-66c) 7 days. Stage showing featuring Dennis Day, Johnny Howard and two other acts. Gross: $13,000. (Average, $14,000)
"Reaching for the Sun" (Para.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $9,000. (Average, $13,000)

'Crazy' at $4,600; Cincinnati Slumps

CINCINNATI, June 19. — "Love Crazy" gave the RKO Lyric a $4,600 third week, and "Meet John Doe" grossed $12,700 at the RKO Albee. These were the only two pictures to get above average, in a week in which the Barnum and Bailey circus provided competition. It was rainy most of the week.

Estimated receipts for the week ending June 11-14:

"Meet John Doe" (W. B.)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $12,700. (Average, $12,000)
"She Knew All the Answers" (Col.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $9,000. (Average, $10,000)
"I Wanted Wings" (Para.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $3,900. (Average, $5,500)
"Blood and Sand" (20th-Fox)
RKO GRAND—(1,400) (33c-40c-50c) 7 days. 2nd week. Gross: $4,700. (Average, $5,000)
"Love Crazy" (M-G-M)
RKO LYRIC—(1,400) (28c-33c-42c) 7 days, 3rd week. Gross: $4,600. (Average, $4,500)
"Knockout" (W. B.)
"The Cowboy and the Blonde" (20th-Fox)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"The Black Cat" (Univ.)
"Her First Romance" (Mono.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $700. (Average, $800)
"Million Dollar Baby" (W. B.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $4,000. (Average, $5,000)

13 Amateurs Are Hit By FCC Suspension

WASHINGTON, June 19.—Indicative of the close scrutiny the Government keeps over all radio communication is the FCC order suspending for 60 days the licenses of 13 amateurs, for international communication, banned because of the national defense situation. There was no evidence of subversive activity. Three cases of unlicensed equipment also were uncovered and the operators arrested.

U. A. Will Outline New Season Films At Meeting Monday

(*Continued from page* 1)

rector of advertising and publicity; David E. Weshner, director of exploitation; Albert Margolies, publicity director; Phil Dow, assistant to Gold; Seymour Poe, assistant to Master Samuel Cohen, foreign publicity director; Len Daly, Charles Steele and N. A. Thompson.

The selling staff at the meeting will be headed by Arthur Silverstone and John J. Dervin, district managers, and Moe Streimer, special home office representative.

The producers' representatives include: Steven Pallos, Morris Helprin and Emanuel Silverstone of the Alexander Korda organization; Lowell V. Calvert, representing David O. Selznick; Harry Kosiner, representing Walter Wanger; J. J. Milstein, representing Edward Small, Richard Rowland and the Loew-Lewin organization; Louis Hyman and Fred McConnell, representing Sol Lesser; Edward Peskay for Hal Roach, and David Griesdorf for James Roosevelt.

The following will attend from the exchanges:

New York—Clarence Eiseman, manager; Edward Mullen, David Burkan, Samuel Rifkin, Sol Edwards, Lawrence Brown, Richard Harrity and Herbert Richek.

Philadelphia—Harry G. Bodkin, manager; Morton Magill, Saul Krugman, Horace Wright and Elizabeth McCaffrey.

Boston—A. I. Weiner, manager; George Hager, Joseph Cronan, Herbert Schaefer, Nathan Ross and Joseph Carroll.

Washington—Fred A. Rohrs, manager; Mark N. Silver, Fred M. Sandy, George Jeffrey and Elmer McKinley.

New Haven—Lou C. Wechsler, manager; Lewis Ginsburg and Marry O'Brien.

Buffalo—Syd Lehman, manager; Joseph Hartman, Harold Sugarman, M. V. Sullivan, Jr. and J. A. Bykowski.

'Meet John Doe' Is Omaha Best, $8,300

OMAHA, June 19. — "Meet John Doe" was the town's only good gross, pulling $8,300 at the Omaha. Ten days of heavy rain have dampened theatre business.

Estimated receipts for week ending June 12-13:

"Sunny" (RKO)
"The Lone Wolf Takes a Chance" (Col.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $4,100. (Average, $4,000)
"Meet John Doe" (W. B.)
"Here Comes Happiness" (W. B.)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $8,300. (Average, $6,000)
"Model Wife" (Univ.)
ORPHEUM — (3,000) (40c-55c) 7 days. Stage: Dave Apollon. Gross: $12,300. (Average, $14,500)

Receiver for A.K.M.

On the plea that the Nazis had taken over all property of A.K.M., composers' society, in Austria, Franz Sobotka, a stockholder and creditor of the society, has obtained appointment of a receiver for the society's assets in New York State. Supreme Court Justice Samuel I. Rosenman made the appointment.

House, Union in Pact

LOUISVILLE, June 19.—The Ohio Theatre here, picketed for three weeks by the local operators' union, has reached an agreement with the union. The contract calls for three operators. Ford Tracey, manager, had insisted on only two.

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Hays Names 7 Committees For MPPDA

Appointments Approved By Directors for '41

Seven standing committees of the MPPDA for the current year were approved by the board of directors of the organization at their regular meeting last Friday following their appointment by by Will H. Hays, president.

Will H. Hays

The committees are as follows:

Executive: Will H. Hays, chairman; Jack Cohn, Nicholas M. Schenck, George J. Schaefer, Sidney R. Kent, Nate J. Blumberg, Barney Balaban,

(*Continued on page 3*)

Actor Wins Suit on Failure to Get Test

Failure by a film company to give a screen test to an actor under an agreement with him even though the company may refuse to employ the player subsequently may be the subject of a damage suit, New York City Court Justice Frank A. Carlin ruled on Friday. Making a precedent-setting decision, the court granted a judgment of $1,500 for breach of contract in favor of Conrad Noles against Loew's, Inc. Attorneys for the company said they would appeal.

Loew's, according to the testimony,

(*Continued on page 3*)

L. & J. Circuit Uses Institutional Ads

Atlanta, June 22.—Lucas & Jenkins Circuit has adopted a policy of running institutional ads on Sunday newspaper theatre pages along with its current picture announcements. The ads promote motion pictures as a medium of entertainment.

First AFRA Station Strike in Cincinnati

Cincinnati, June 22.—American Federation of Radio Artists called its first strike against a station when performers on Friday walked out of WKRC, Mutual affiliate here, after long negotiations on wage scales and union policy failed. Station officials said operations were not affected seriously. Hulbert Taft, Jr., general manager, said he had offered concessions but the union rejected a compromise. Emily Holt, AFRA executive secretary, stated that the union had "made every effort" at a settlement.

U.S. Tax Total For Broadway Treble in May

WASHINGTON, June 22. — Federal admission tax collections in the Third New York (Broadway) district more than trebled in May, totaling $1,846,594 as compared with $514,220 in April, the Internal Revenue Bureau reported tonight.

Most of the gain was at the box-office, tax collections at which increased from $446,265 to $1,773,084. The figures on New York increased more than collections nationally, the Bureau reporting for the country as a whole a total of $6,955,991 for May

(*Continued on page 4*)

U. A. Expected to Announce 18 to 22 For New Season

United Artists is expected to announce plans for a minimum of 18 features and a maximum of 22 for the new season at the opening session today of its Eastern regional sales meeting at the Waldorf-Astoria Hotel. This will be the first of five regional meetings. Arthur W. Kelly, vice-president and acting chief executive, will preside.

Arthur W. Kelly

The production schedule will be held to a modest number of releases in line with the company's return to its original policy of sponsoring a limited number of productions from only important producers.

Unavoidable delay in completing the deal by which David O. Selznick and Frank Capra would become producer-

(*Continued on page 3*)

Report Settlement Talks in Wis. Case

MILWAUKEE, June 22.—With a settlement of the complaint reportedly being discussed, hearing of the Lee Macklin arbitration case on clearance against the five consenting companies and the Rio and Appleton theatres, Appleton, Wis., has been postponed

(*Continued on page 3*)

Reports Box-Office Boom in British Provinces, Ireland

Provincial British theatres and houses all over Ireland are doing capacity business day after day, Tony Reddin, British publicity representative for Paramount, who recently completed an extensive tour of the British Isles, reports in a letter to the home office.

No blackouts are resorted to in Ireland, Reddin reported, and theatre business there is at record levels.

Reddin states that despite heavy bombing of Birmingham, theatres in that city have not had a single program miss-out since the "blitz" began, an almost unbelievable record in view of the frequently disrupted transpor-

(*Continued on page 4*)

Olsen and Johnson Start 'Hellzapoppin'

HOLLYWOOD, June 22.—Work on "Hellzapoppin" started at the Universal lot Friday, with Ole Olsen and "Chic" Johnson leading the cast in which Mischa Auer and Martha Raye also are featured. It is a Mayfair (Jules Levey) production. This is the Olsen and Johnson team's first major opportunity in pictures, climaxing a career of years in vaudeville and musical shows, their best known show being "Hellzapoppin," which is in its fourth year at the Winter Garden on Broadway.

Nine Chicago Houses Will Ban Triples

Also Drop 10-Cent Days In North Side Pact

CHICAGO, June 22.—The long uphill fight to eliminate multiple features in Chicago brought results on Friday when nine theatres agreed to do away with triple bills within the next two weeks. All have agreed to discard 10-cent days as well.

The agreement was reached at a special meeting called by Jack Kirsch, president of Allied of Illinois, who has led the crusade against triple and double featuring and cut-throat competition in Chicago.

All theatres involved are on Chicago's North Side. On June 29 triples are to go out of the Essaness' Irving; the Drake and Portage, operated by the G. C. S. Circuit, and the Commodore, a Nat Gumbiner house.

On July 6 the practice will be stopped at the Milford and Rivoli, operated by Meltzer Bros., and the

(*Continued on page 4*)

Allied Will Defend Attack on 5-Block

MINNEAPOLIS, June 22.—Members of Northwest Allied at district meetings in Minneapolis and St. Paul late last week reaffirmed endorsement of the state's anti-blocks-of-five law. They voted to take any steps deemed necessary to defend it in the courts against the expected attack by some of the distributors.

A canvass of the Twin City product

(*Continued on page 3*)

British Emergency Council Approved

LONDON, June 22.—The proposal of Harry P. E. Mears, former CEA president, for a British industry emergency council, already has been considered in various trade circles, and is believed to have been approved in principle by the distributors and producers.

The CEA general council at its meeting here next month will discuss the Mears plan. It is understood here unofficially that representatives of American companies have discussed the proposal and given it general approval.

Personal Mention

HARRY M. WARNER is scheduled to arrive this week from the Coast.

•

GEORGE J. SCHAEFER, RKO president, left for the Coast over the weekend. JOSEPH I. BREEN, studio head, left New York ahead of SCHAEFER.

•

S. CHARLES EINFELD arrived yesterday from the Coast for a stay of about two weeks.

•

R. J. O'DONNELL of the Interstate Circuit has returned to Dallas from New York.

•

HARRY BALLANCE, 20th Century-Fox district head in Atlanta, was presented a silver vegetable dish by the local Variety Club in appreciation of his handling of the local delegation to the recent national convention.

•

HUNTER PERRY, Paramount theatre operator, has returned to Charlotte following a home office visit.

•

MAX MILDER, managing director for Warners in Great Britain, is en route to the United States.

•

SAM LEFKOWITZ, manager of Warners' New York metropolitan exchanges, became a grandfather Friday when his daughter, MRS. AL RUBIN, gave birth to a boy at Royal Hospital, the Bronx. He has been named Peter Mark.

•

SALLY JENKINS, daughter of WILLIAM K. JENKINS, vice-president of the Lucas & Jenkins circuit, was married last week to GEORGE L. BAGBY of Charlotte.

•

S. E. OSBORNE, owner of the Wintergarden Theatre, Fredonia, N. Y., is a great-grandfather, a son having been born to his grandson, JOHN R. OSBORNE, owner of the Capitol, Wheeling, W. Va. The baby's grandfather, JOHN R. OSBORN, III. owns the Colonial, Elmira, N. Y.

•

R. M. SAVINI, president of Astor Pictures Corp., will return tomorrow from the West.

•

HAROLD DE GRAW, manager of Schine's Temple Theatre, Fairport, N. Y., visited here last week.

•

WOLFE COHEN, Warners' Canadian district manager, has returned to Toronto from New York.

•

MR. and MRS. JACK SHAINDLIN return today from a visit in Washington.

•

ED COOPER, former assistant manager of Loew's Grand, Atlanta, visited the city last week from his Navy post aboard an ammunition carrier.

•

CHARLES COHEN, M-G-M home office publicist, and MRS. COHEN will be upstate on vacation this week.

•

JAMES BRANLETT of Loew's, Atlanta, is back at work after an appendix operation.

Hollywood Reviews

"Underground"

(Warners)

Hollywood, June 22

THIS is anti-Nazi melodrama with the motor wide open and no brakes applied.

It compares most directly to the same studio's "Confessions of a Nazi Spy" and is a superior job in point of production, a more forceful and dramatically effective picture.

Like the earlier film, it is dependent upon subject matter and treatment rather than upon marquee names for drawing-power, Jeffrey Lynn being the only player in the cast whose name is box-office.

The title applies to an organization inside of Germany engaged in broadcasting anti-Nazi doctrine to the population in defiance of the Nazi government. The basic conflict in the picture is between the secret organization and the Nazi authorities, including the Gestapo, intent upon suppressing it.

Prime mover in the activities of the underground is Philip Dorn, brother of Lynn, an ardent Nazi, home from the war minus an arm. Lynn becomes enamoured of Kaaren Verne, cafe entertainer and co-worker with Dorn in the secret organization, and is ordered by the authorities to spy upon her for purposes of linking her with the broadcasts. He does not know that his brother or the girl are members of the outlawed group and the manner of his learning this, in circumstances highly dramatic and emotionally exciting, involves the delivery of his brother into custody, ultimately for execution, whereafter he continues his brother's secret work.

Sequences depicting the secret broadcasts build suspense. Scenes in which Nazi officers beat and torture suspects are violently impressive. The story is extraordinarily well constructed and the ending packs a wallop. Dialogue references to the flight of Hess to England and to the battleship *Bismarck* occur normally.

In addition to the players named, the cast includes Mona Maris, Peter Whitney, Martin Kosleck, Erwin Kalser, Ilka Gruning, Frank Reicher, Egon Brecher, Ludwig Stossel, Hans Schumm, Wolfgang Zilzer, Roland Varno, Henry Brandon, Lotte Palfi, Lisa Golm, Louis Arco and Roland Drew.

Production by William Jacobs and direction by Vincent Sherman are of the best.

Running time, 94 minutes. "G."* ROSCOE WILLIAMS

"The Medico of Painted Springs"

(Columbia)

Hollywood, June 22

WITH "The Medico of Painted Springs," Columbia introduces a new type of western, in which the principal figure is a doctor skilled in riding, roping, shooting, fighting and about everything else that outdoor action heroes are supposed to do. The first of the series, starring Charles Starrett, is a well-made film which, barring minor cliches, should satisfy every western fan.

Starrett enacts the title role, that of an Army doctor who was once a cowboy and who is sent to a small western town to examine volunteers for Teddy Roosevelt's "Rough Riders." There he becomes involved in a fight between sheepmen and cattle men, and manages to expose the treachery of the persons causing the battle.

Supporting Starrett, who does an excellent job of the characterization, based on the book by James L. Rubel, are Terry Walker, Ben Taggart, Ray Bennett, Wheeler Oakman, Richard Fiske, Edmund Cobb, Edythe Elliott and the Simp-Phonies, the latter a cowboy band of four pieces. Four musical numbers are used in the film.

The picture is a credit to the production abilities of Jack Fier and the directorial talent of Lambert Hillyer.

Running time, 59 minutes. "G"* VANCE KING

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*"G" denotes general classification.

Two Resign from SPG

Sid Blumenstock and Jac Thall of the 20th Century-Fox publicity department have resigned from the Screen Publicists Guild, they disclosed on Friday.

Claim Criterion Record

Loew's Criterion claimed Friday that the Universal film, "In the Navy," set an all-time attendance record of 49,947 at the Broadway house during its first week.

Comerford Manager Dies

WAVERLY, N. Y., June 22.—Edward Renton, 66, manager for the Comerford circuit for the last 10 years and previously with the Keith circuit, died here Friday. In his early days he managed a showboat on the old Erie Canal.

Conn. Allied to Meet

NEW HAVEN, June 22.—Allied Theatre Owners of Connecticut will hold a luncheon-meeting Tuesday, with Dr. J. B. Fishman presiding.

Coast Actors Vote On New Wage Pact

HOLLYWOOD, June 22.—Balloting by the Screen Actors Guild has started on acceptance of a proposed increase in wage scales for extras and free lance players, which the SAG estimates will increase the earnings of those players $309,000 annually.

The wage increases are incorporated in a revised basic agreement between the Guild and producers which includes improved working conditions and is scheduled to go into effect Aug. 1 if ratified by the members.

The revisions eliminate $8.25 and $11 day checks and institute a new bracket of $10.50; restrict $5.50 calls to sets to which at least 30 extras are called, and establish a minimum weeklv salary for free lance players of $100, as compared with the previous $66. Additional increases are provided for extras specializing as singers, dancers, skaters and stand-ins.

Shift Loew Staffs in Northeast Division

BOSTON, June 22.—A number of changes in theatre staffs have been made in Loew's Northeastern Division by Charles E. Kurtzman, division manager.

Vaughn O'Neill of Loew's State, Providence, goes to Pittsburgh as assistant manager of Loew's Penn. James E. Tibbetts, assistant manager of Loew's State, Boston, replaces O'Neill at Providence, while his post at the Boston house will be filled by Emil Weretelnyk, formerly senior treasurer at Loew's Orpheum, Boston. Thomas Foley has been promoted from junior to senior treasurer of the Orpheum; Fred Linn, chief of staff, State, Boston, becomes junior treasurer at the Orpheum; Arthur White, doorman of the State, becomes chief of service, and Harold Mortin, chief of service at Loew's State, Providence, is moved up to student assistant manager.

Kessler Manager in Canton

PITTSBURGH, June 22.—Walter Kessler, assistant manager at Loew's Penn, Pittsburgh, for the past two years, has been appointed manager of Loew's in Canton, O.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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U. A. Expected to Announce 18 to 22 For New Season

(*Continued from page* 1)

owners in United Artists, along with Alexander Korda, Charles Chaplin and Mary Pickford, is expected to prevent a convention announcement of detailed production plans from those two producers. However, Selznick still owes United Artists two pictures on his existing release contract with the company and will undoubtedly figure in the production announcement.

Selznick has made plans to produce a number of shorter length subjects designed to be released as a composite program.

Others in Lineup

Also expected to contribute to the new schedule will be: Korda, two or three; Chaplin, possibly one; Maurice Silverstone-Mary Pickford, two or three; Walter Wanger, two or three; Loew-Lewin, two; Edward Small, two; Sol Lesser, two; Hal Roach, two; Arnold Pressburger, one, and Richard Rowland.

Kelly, Harry L. Gold and Haskell M. Masters will be in charge of the sessions, which will be concluded tomorrow.

Report Settlement Talks in Wis. Case

(*Continued from page* 1)

by the local board to July 17. It had been scheduled for next Wednesday.

Clearance Complaint Filed in Los Angeles

LOS ANGELES, June 22.—The fourth industry arbitration complaint in this territory was filed here Friday on clearance by D. Lemucchi and James J. Vanducci, doing business as Vanducci & Lemucchi Theatre Co., Bakersfield, against the four consenting companies. They seek relief for the River Theatre, Oildale, and the Arvin Theatre, Arvin, asking clearance over the United West Coast Theatres group and nine other houses.

N. Y. Board Concludes River Theatre Hearing

Hearings of the River Theatre Corp. clearance complaint against the five consenting companies at the New York arbitration board were concluded on Friday. Francis A. Truslow, arbitrator, is scheduled to make an award in the near future.

Allied Will Defend Attack on 5-Block

(*Continued from page* 1)

situation disclosed that exhibitors believe they will be able to obtain sufficient product until late in the year, by which time the subsequents will have exhausted present season pictures from the major companies.

There was no immediate concern that anyone would be caught short before the season is well advanced.

A three-member committee was appointed to study ways and means of stimulating box-office attendance. The Minnesota Amusement Co., dominant circuit in this area, will be asked to join in this.

Feature Review

"Blossoms in the Dust"

(M-G-M)

HERE is a biographical picture, the story of a woman who pioneered in Texas to give friendless orphans love and good homes, which emerges as a heart-warming, moving portrayal, rather heavy with sentiment but withal a fine production. Perhaps its greatest appeal will be to the feminine patrons, but there is much in it to recommend to all audiences.

In the role of Edna Gladney, the woman who suffered tragedies of bereavement, and who fought with all her strength for the youngsters she loved, Greer Garson gives an outstanding performance. Technicolor has done much to enhance the effectiveness of the production.

Produced by Irving Asher and directed by Mervyn LeRoy, the film is forthright and human at all times, with touches of rich humor and always with a tear close behind. Most able support is furnished chiefly by Walter Pidgeon, as her husband; Felix Bressart, her doctor friend who aids her in her fight for the orphans, and Marsha Hunt, as her adopted sister.

Miss Garson, unable to withstand the impetuous demand of the Texan, Pidgeon, leaves her luxurious Wisconsin home for Texas, after Miss Hunt kills herself when the illegitimacy of her birth causes her wedding plans to collapse. Then, when her own son is killed, Miss Garson rebels until, fighting her grief, she takes upon herself the mothering of homeless children. They lose their fine home, later her husband dies, but she still fights on, with Bressart by her side, winning a final great victory when the fact of illegitimacy is stricken from state birth records by legislation she fought to have enacted.

That is the bare outline of a picture replete with heart-stirring touches, ending when Miss Garson, in a final sacrifice for her chosen work, gives up the child she has come to love in order that he should have a real home. Women's groups may well be led to interest themselves in the film.

Running time, 100 minutes. "G."* CHARLES S. AARONSON

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* *"G" denotes general classification*

Hays Names 7 Committees For MPPDA

(*Continued from page* 1)

Harry M. Warner and Maurice Silverstone.

Finance: Kent, Warner and George Borthwick.

Special budget: Schenck, Balaban and Joseph Hazen.

Membership: Cohn, Blumberg and Schaefer.

Foreign relations: David Bernstein, Hazen and W. C. Michel.

Law: Austin Keough, Richard Dwight, Charles Schwartz, Charles Prutzman, J. Robert Rubin, Walter L. Brown, R. W. Perkins, Dennis F. O'Brien, Lawrence B. Morris and Gordon Youngman.

Title: Albert Howson, Hannah Kass, Grace Rosenfield, William Orr, Irene Scott, Sadie Laitas, George Muchnic, James Mulvey, William N. Weiss, E. P. Kilroe, Benjamin Pepper, Adolph Schimel, Hal Horne, Harry Kosiner and Katherine Brown.

Hays is expected here today from Sullivan, Ind., and will leave for the Coast shortly.

Tyler in 'Mesquiteers'

HOLLYWOOD, June 22.—Republic has signed Tom Tyler to replace Bob Livingston in the "Three Mesquiteers" series of westerns.

Actor Wins Suit on Failure to Get Test

(*Continued from page* 1)

in March, 1939, signed Noles to a contract under which he was to receive a test, and under which Noles granted exclusive option on his services from the date of the agreement until four weeks after completion of the test.

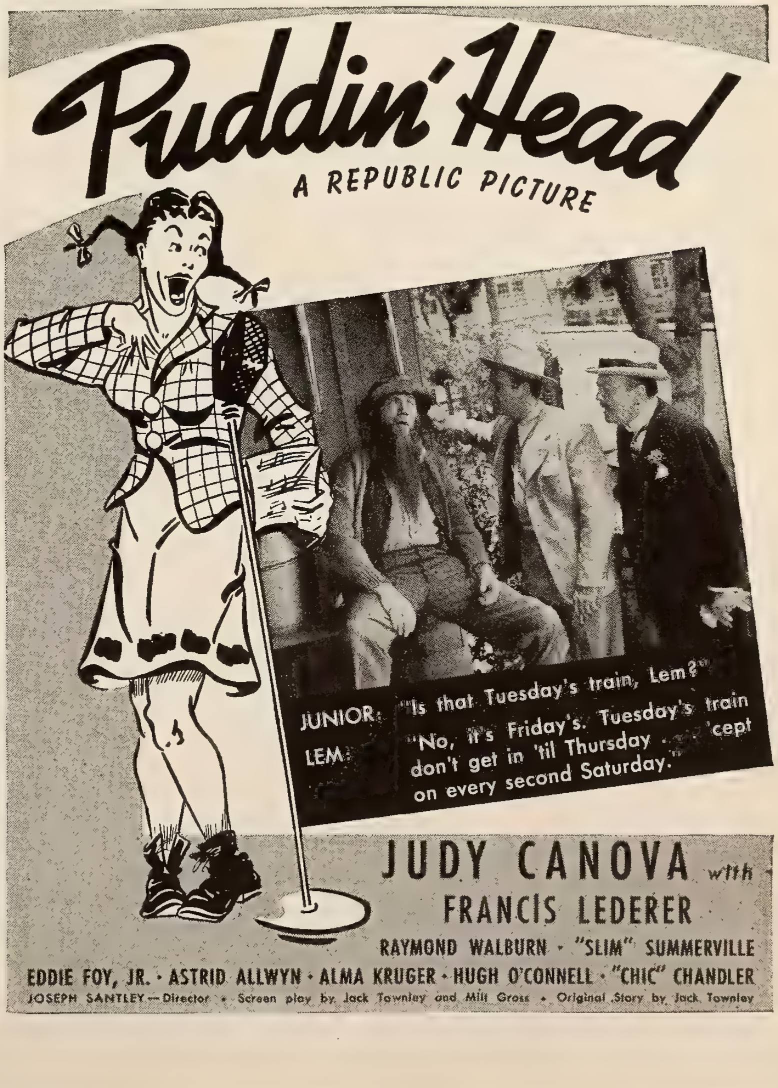
Plaintiff claimed that he did not seek other employment, although he had an opportunity to do so, for a period of 10 weeks from the date of the agreement.

The court stated: "It may be argued that the defendant after it made the screen test could refuse to employ plaintiff on the ground that he did not measure to the requirements for employment. In my opinion that cannot be urged as prejudicial to plaintiff's recovering damages for the period aforesaid, when the defendant held the plaintiff helpless and subservient to the defendant's desire to secure a star by depriving that star of shining in another orbit."

Cecil A. Citron, attorney for plaintiff, pointed out that there was no previous decision in point on this question.

New PRC Financing

Additional financing has been made available to Producers Releasing Corp. for the new season's production by Consolidated Film Industries, through a deal negotiated by O. Henry Briggs, PRC president, and Herbert J. Yates, Consolidated president, it was announced. The amount of the financing was not indicated.



JUNIOR: "Is that Tuesday's train, Lem?"
LEM: "No, it's Friday's. Tuesday's train don't get in 'til Thursday . . . 'cept on every second Saturday."

JUDY CANOVA with
FRANCIS LEDERER
RAYMOND WALBURN · "SLIM" SUMMERVILLE
EDDIE FOY, JR. · ASTRID ALLWYN · ALMA KRUGER · HUGH O'CONNELL · "CHIC" CHANDLER
JOSEPH SANTLEY—Director · Screen play by Jack Townley and Milt Gross · Original Story by Jack Townley

'Streamlined' Law for Radio Is Anticipated

By BERTRAM F. LINZ

WASHINGTON, June 22.—Introduction of legislation "streamlining" the 14-year-old radio law is expected to result from the three weeks of hearings by the Senate Interstate Commerce Committee which were designed to determine whether an investigation of the FCC should be made, it was indicated today by committee members.

The current hearings have been so thorough that committee members are now reported considering dispensing with the investigation proposed by Senator Wallace White of Maine, as it would appear to be unnecessary.

The committee began consideration of the testimony yesterday after concluding the hearings on Friday. The testimony of several broadcasters in opposition to the network regulations issued by the FCC on May 2 was received during the closing session. There is a possibility that James L. Fly, FCC chairman, will be given the opportunity to be heard this week.

At the Friday hearing, J. W. Lee of Station KGFF, Shawnee, Okla.; Clarence Wheeler, vice-president of WHEC, Rochester, N. Y.; James Weiland of WFTC, Kinston, N. C., and Charles B. Hasbrook of WCAX, Burlington, Vt., attacked the May 2 regulations, while Hope H. Barrol, Jr., of WFBR, Baltimore, charged the chain contracts give the networks an option on substantially all the desirable hours of affiliates.

Lee, whose station formerly was affiliated with MBS, testified that he had been forced to pay more in line charges to A. T. & T. than he had received from his affiliation with Mutual, which drew the remark from Senator Bone of Washington that a "little more rigid inquiry into A. T. & T. line charges by the FCC might be wise."

Educators from S. A. CBS Guests Today

Forty-five Latin American educators will be guests of CBS at a reception and luncheon at the Hotel Ambassador today. Following the luncheon many of the visitors will participate in a CBS network broadcast, 4:15-4:30 P.M. Arrangements for the affair have been made by Sterling Fisher, CBS education director; Edmund Chester, CBS director of short-wave and Latin American relations, and Dr. Antonio C. Gonzalez, former U. S. Minister to Panama, now assistant to Chester.

Massey on Equity Council

Raymond Massey has accepted the post of council member offered him by Actors Equity after Robert Ross of St. Louis declined the election. Ben Smith has also accepted. This leaves only one of eight council posts in doubt, Walter Gilbert having failed to indicate acceptance or refusal as yet.

Reports Box-Office Boom in British Provinces, Ireland

(Continued from page 1)

tation, communications and power services, he said.

He described the frequently remarked-upon morale of the people of bombed cities as "inspiring," and observed that exhibitors, "running true form, still wrangle with salesmen over film terms, while bombs drop nearby."

Reddin found the desolation of Plymouth the worst encountered on his tour of the provinces, which he made this month. He inferred that while business there was almost at a standstill, the condition was temporary and the populace was busy clearing away debris to start anew.

Newspaper Radio Quiz Off to July 23

Washington, June 22.—Hearings on the policy to be followed respecting newspaper operation of broadcasting stations have been postponed by the FCC from June 25 to July 23. It was explained that the postponement was ordered on the application of Harold Hough, chairman of the newspaper-radio committee, to hold the hearing up until Sept. 15 in order to give newspaper-radio interests time to prepare their presentation.

Ownership Rights To Ideas Affirmed

The appellate division of the N. Y. Supreme Court on Friday reversed a decision dismissing the $25,000 radio-idea plagiarism suit of Alonzo Deen Cole, writer and director, against Phillips H. Lord Inc., advertising agency, and ordered a new trial.

The plaintiff had claimed appropriation by the defendant of his radio program, "Racketeer and Company," in the defendant's program, "Mr. District Attorney." The plaintiff had been employed by Lord in 1938 and 1939, and claims to have submitted the idea for a series based around a crusading district attorney at that time.

The seven-page opinion pointed out that the suit was not for the plagiarism of any particular script but of a formula program. The court stated: "That a property right exists with respect to a combination of ideas evolved into a program, as distinguished from rights to particular scripts, finds support in defendant's own course of conduct. When it transferred any rights to 'Mr. District Attorney,' it sold not scripts but the basic idea."

The court continued: "In the radio field there is a well-recognized right to an original idea or combination of ideas, set forth in a formula for a program."

Schneider Acquires 100 Columbia Shares

WASHINGTON, June 22.—Only one transaction in film securities, the acquisition of 100 shares of Columbia Pictures common stock by Abraham Schneider, treasurer, was reported in the first April semi-monthly summary of the Securities and Exchange Commission, issued tonight. The report showed that at the close of April, Schneider held 1,504 shares of common and 7,880 options for common.

Berman Files Bankruptcy

Benny Berman, manager of the Eagle Theatre, Manhattan, on Friday filed a voluntary petition in bankruptcy, listing liabilities of $8,560 and no assets. Among the creditors named were the eight major film companies for sums varying between $100 and $150, National Screen and National Theatre Supply Co.

Browne in Not Guilty Plea; Trial August 18

George E. Browne, president of the IATSE, on Friday entered a plea of not guilty to the three-count indictment which charges him and William Bioff with violations of the Federal Anti-Racketeering Act by alleged extortion of $550,000 from four film companies. Federal Judge Edward A. Conger fixed bail at $50,000 and set trial for Aug. 18, same date as Bioff's trial.

Judge Conger in denying a request by Browne to fix bail at $20,000 stated that he saw no reason to differentiate between Bioff, whose bail is $50,000, and Browne. Upon the request of U. S. Attorney Matthias F. Correa, the court admonished Browne not to interfere with Government witnesses.

Atlanta Houses Cut Power by One-Third

ATLANTA, June 22.—Under the plan in operation here for the reduction of electric power consumption as a defense measure, all local theatres have cut their power here by one-third. The figure has been approved by the Georgia Power Co.

There has been no compulsion in the power reduction, and as a voluntary measure, theatres have eliminated all lights not needed for safety and confine their marquee lighting merely to the name of the feature attractions. It is estimated that eight or nine months will be required to replenish the power reservoirs in the north Georgia mountains.

Rex Cole Sues World On Contract Breach

Breach of contract suit for $85,000 damages was filed Friday in the Federal district court here by J. S. Rex Cole against World Pictures, Du World Pictures, Lloyd's Film Storage Corp., Arthur A. Mayers and Irwin Shapiro. Plaintiff, as assignee of Bennett Pictures Corp., Ltd., claims violation of a five-year U. S. distribution contract made in 1935 for the films, "Legong," and "Kliou." Complaint charges defendants with failing to account for the proceeds of the films.

Gary Cooper Arrives

Gary Cooper has arrived East for a stay of about two weeks. He is visiting at Southampton, L. I.

U.S. Tax Total For Broadway Treble in May

(Continued from page 1)

against $5,627,394 for April, this year.

Other collections in the Broadway district included $16,931 from tickets sold by brokers, against $14,919 in April; $356 on permanent use or le of boxes and seats, against $103, and $56,223 from admissions to roof gardens and cabarets against $52,933.

For the first five months of the current year, receipts were $32,766,903 compared with $9,522,228 in the corresponding period in 1940 for the country as a whole, it was announced.

Figures for the first 11 months indicated that reduction of the exemption last July 1 would add approximately $50,000,000 to Treasury revenues for the fiscal year which ends June 30. Up to May 31, the bureau stated, $65,082,445 had been collected against $20,242,313 a year ago.

Ascap Is Studying Proposal from CBS

CBS late last week submitted to Ascap a counter proposal for use of Ascap music on 130 CBS stations, including eight owned and operated, calling for a blanket license agreement with payment of two per cent of the net receipts, less deductions for line costs and certain other network expenses.

Gene Buck, Ascap president, said over the weekend he would withhold comment until he had studied the CBS proposal. Mutual resumed playing Ascap music last month, under a blanket license agreement calling for three per cent royalty on all network programs for four years and 3½ per cent thereafter.

The CBS proposal calls for two per cent based on an average of the years 1936-1939 and one and a half per cent of the excess of such net receipts in any one year exceeding this average. The proposal covers a period to Dec. 31, 1949, with a five-year extension at terms to be arbitrated if necessary. There is also an alternate local station offer whereby stations pay a larger percentage but only on programs using Ascap music.

Nine Chicago Houses Agree to Ban Triples

(Continued from page 1)

Admiral, Revue and Fox, G. C. S. houses.

Only three Balaban & Katz houses are running triples. These are the Crystal and Biltmore on the Northwest Side, with no competition, and the Iris on the West Side, which is competitive to the Rockne Theatre, a member of Allied.

Hold Rites for Schwartz

BUFFALO, June 22.—Funeral services were held here for Jerome L. Schwartz, 56, who died Wednesday of a heart ailment. Pallbearers included Robert Murphy, Dipson Theatres booker; Sydney Samson, manager of 20th Century-Fox, and Ralph Maw, of M-G-M.

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Alert,
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and
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Picture
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MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

VOL. 49. NO. 122 NEW YORK, U. S. A., TUESDAY, JUNE 24, 1941 TEN CENTS

Para. Will Buy SparksHolding For$1,350,000

Payment Over 10 Years; Rogers to Operate

Arrangements for the purchase of E. J. Sparks' 40 per cent interest in the All Florida Circuit of approximately 100 theatres by Paramount have been concluded, it was learned yesterday.

Under the terms reported, Sparks will receive $1,350,000 for his 40 per cent interest. Of this amount, $500,000 will be paid at once and annual payments of $85,000 will be made for the next 10 years.

The deal gives Paramount a 90 per cent interest in the circuit which, according to report, has approximately $400,000 cash on hand.

Frank Rogers, general manager of the circuit, who is slated to become its operating head, and Fred Kent, at-

(*Continued on page* 5)

Heat Wilts B'way's Weekend Grosses

Broadway's weekend business fell off considerably due to the intense heat, which at one point on Sunday reached the record high for the date of 94 degrees. On Saturday, the official starting day of Summer, the mercury clung to the 90 level the greatest part of the day. While the air-conditioned theatres attracted some of the sweltering populace, it is reported, a far greater number retreated to the beaches.

"Man Hunt" with a stage show at the Roxy drew an estimated $16,100 over the three-day weekend. The film is now in its second week and will be held for a third, beginning Friday.

At the Musical Hall, "She Knew All the Answers" and a stage presen-

(*Continued on page* 5)

Exhibitor Wins in Neb. Monopoly Suit

LINCOLN, NEB., June 23.—A jury in Federal Judge T. C. Munger's Court here found the Fox Midwest Amusement Corp. guilty of monopolistic practices in the $234,000 antitrust suit brought by Frank Hollingsworth, former Beatrice, Neb., exhibitor, who originally charged the Fox corporation and 16 other defendants

(*Continued on page* 5)

U. A. Lists Nine Pictures Ready For Selling Now

United Artists will follow a modified form of consent decree selling of its own devising during the coming season, Arthur W. Kelly, vice-president and acting head of the company, indicated yesterday at the opening session of the company's two-day regional sales meeting here. United Artists, of course, is not a party to the Federal consent decree.

A group of nine pictures was announced at the meeting for immediate selling to exhibitors, with others to be disclosed in September and as the new season progresses.

The nine pictures announced are releases for only the next two or three months. Regional sales meetings will be held throughout the year, at which the field force will be advised of only the product which the company is more or less immediately prepared to offer, the meeting was told.

Thus, although United Artists may reasonably be counted upon to release

(*Continued on page* 4)

Fairbanks' Stock to U. A. for $400,000

LOS ANGELES, June 23.—United Artists will purchase the Douglas Fairbanks estate's shares in the company for $400,000 and in turn they will be purchased by David O. Selznick and Frank Capra, it was disclosed here today.

Isaac Pacht, representing Mrs. Sylvia Fairbanks, the owner-producer's widow, today withdrew her objections in Superior Court to the proposed sale of the 4,000 shares of the stock held in the estate, announcing after the court session that the shares would be sold at $100 a share to U. A. with the understanding that Selznick and Capra would be permitted to pur-

(*Continued on page* 4)

Atlanta Theatres Benefit from Rain

Atlanta, June 23.—A deluge of rain which struck this drought-stricken city about 5:00 o'clock today with driving intensity made the ticket registers at downtown film theatres play "Happy Days Are Here Again" as home-bound workers ducked into theatres for early evening shows. Traffic was hopelessly tied up for several hours, which was another reason for staying downtown. The rain, however, was not enough to ease the power shortage.

Ascap Board Sets Dividend Of$1,000,000

A $1,000,000 dividend was authorized by the Ascap board of directors for the second quarter, ending June 30, at a meeting yesterday.

The dividend, which was approved in the form of a resolution proposed by J. J. O'Connor, publisher member of the board, will be paid to Ascap members July 1.

The board's action came as a surprise to many Ascap members who had been anticipating a much smaller dividend in view of the fact that Ascap's major radio revenue has been shut off since Jan. 1. The quarterly payment compares with dividends of approximately $1,500,000 per quarter in normal revenue years.

The Ascap dividend for the first quarter of the current year was voted by the society at the end of 1940, and while not officially announced at the

(*Continued on page* 6)

"Kiss the Boys Goodbye"

[Paramount]

Hollywood, June 23

THIS picture has everything a box-office doctor could think of to prescribe for his feeblest patient. The prescription is dated for release on Aug. 1, when if ever a stimulant is needed, and the previewers were saying, following its press screening, that if this treatment doesn't effect a cure there's nothing left to do but 'phone the mortician.

The picture is a comedy with music, a funnier comedy than the screen has seen in some while and with better music.

The marquee names are Mary Martin, Don Ameche, Oscar Levant, Virginia Dale, Connie Boswell, Rochester, John Scott Trotter's orches-

(*Continued on page* 4)

Draft Laws to Restrict Axis Product Here

See 'Freezing' Order as Meeting Problem

WASHINGTON, June 23.—While Administration officials were represented today as feeling President Roosevelt's order "freezing" German and Italian funds had in part met the problem of Axis film importation, legislation nevertheless is being drafted to control rigidly the dissemination of all propaganda material, including films.

It is believed here that while the regular channels of German and Italian propaganda distribution in this country have been shut down, the two countries will continue with attempts to get propaganda into this country by devious methods.

While details of plans for the future are being guarded, there are indications that the act requiring registration of alien agents may be expanded to include any person disseminating foreign propaganda in any manner, which might include motion picture distribution and exhibition. It is not

(*Continued on page* 4)

$5,600,000 Loan Set by Universal

Universal yesterday concluded arrangements for a $5,600,000 loan agreement with the First National Bank of Boston and the Bank of Manhattan Company.

[MOTION PICTURE DAILY *reported exclusively on March* 19 *that the negotiaitons for the loan were under way.*]

J. Cheever Cowdin, Universal board chairman, said that the agreement runs for three years from June 30, and is renewable for an additional year at the option of the company. It carries an interest rate of five per

(*Continued on page* 4)

From Hollywood

Hollywood reviews of "They Met in Bombay," "Bachelor Daddy," "I was a Prisoner on Devil's Island," Page 5. Hollywood production news, Page 7.

Coast Flashes

Hollywood, June 23

JOSEPH I. BREEN today assumed his duties as general manager of the RKO studio and production head. Later in the week, possibly Thursday, he will preside at a dinner in the studio commissary to which RKO's producers, department heads and other executives will be invited.

•

Republic today announced acquisition of the American distribution rights to "Poison Pen," British film, from Edward Small, who bought the rights with frozen currency. The picture stars Flora Robson and Robert Newton. It will be released July 1.

•

M-G-M today signed Katharine Hepburn to star opposite Spencer Tracy in "Woman of the Year," a story of newspapermen based on an original idea by Miss Hepburn. Joseph Mankiewicz will produce it.

•

Screen Cartoonists Local 852 today filed "company union" charges with the NLRB against the recently formed Animated Cartoon Associates, charging it with being another Walt Disney sponsored organization similar to the American Society of Cartoonists against which a similar allegation is pending. The Cartoon Associates was formed over the weekend. It includes Disney employes not engaged in the cartoonists' strike.

•

Francis Alstock, assistant to John H. Whitney in the Office of Commercial and Cultural Relations Among the American Republics, will leave for Washington by plane tomorrow following a dinner tonight given by Gen. Alejandro Buelna, aide to President Avila Camacho of Mexico, for the industry representatives who made the recent goodwill trip to Mexico City.

•

Miriam Hopkins was set today to star in Universal's "Bad Lands of Dakota," which Alfred E. Green will direct and George Waggner produce.

Governor of Tenn. Will Attend 'York'

Governor Prentice Cooper of Tennessee has accepted an invitation to attend the premiere of "Sergeant York," Warner film, at the Astor Theatre here July 2. Sergeant Alvin C. York, head of the Tennessee selective service board, has been granted leave of absence to attend.

Jesse L. Lasky, producer of the film, arrives today from the Coast. Harry M. Warner, company president, and S. Charles Einfeld, advertising and publicity director, have already arrived for the opening.

Schenck's Appeal to Be Heard in October

Argument of the appeal of Joseph M. Schenck and Joseph Moskowitz from a conviction for allegedly evading Federal income tax laws will be heard in the early part of October in the U. S. Circuit Court of Appeals, it was stated yesterday.

Attorneys for both defendants yesterday filed records on appeal with the clerk of the court. The attorneys stated that the briefs on appeal will be prepared during the Summer.

Personal Mention

DAVID ROSE, Paramount managing director for Great Britain, is scheduled to arrive on the *Atlantic Clipper* today and will leave for the Coast by plane at once.

•

WILL H. HAYS will return to New York today.

•

JAMES R. GRAINGER, president of Republic, has left for Gloversville, N. Y., and Toronto, and is expected back at the end of the week.

•

W. RAY JOHNSTON, president of Monogram, arrived yesterday on the Coast.

•

TED JACOCKS, New Haven, president of the MPTO of Connecticut, spent a brief vacation at Highland Lake, Winsted, Conn.

•

MIRIAM ROSENFIELD, secretary to ED PESKAY, HAL ROACH Eastern representative, has returned from her honeymoon. She was married recently to FRED BECKER.

•

ALAN BRANIGAN, film critic of the Newark *News*, and BETTY BRAACK of Nutley, N. J., were married on Sunday.

•

AL MARQUSEE of the Schine circuit home office in Gloversville, N. Y., and MRS. MARQUSEE are in town on their honeymoon.

ARTHUR FRUDENFELD, RKO division manager in Cincinnati, is due back this week from California with MRS. FRUDENFELD.

•

MAX MILDER, managing director of Warners in England, is due today by Clipper from Europe.

•

JOE GOETZ, RKO circuit executive in Cincinnati, is in Good Samaritan Hospital there for treatment for a throat infection.

•

MURRAY KAUFMAN of the Strand Amusement Co., Bridgeport, Conn., will go to Atlantic City with MRS. KAUFMAN at the end of the week.

•

EDWARD PENTECOST, manager of Loew's Grand, Atlanta, has left on a two-week vacation with his family in the Georgia mountains.

•

M. D. SIKAWITT has returned from a vacation.

•

CHARLES KURTZMAN, Loew division manager, stopped off briefly in Rochester, en route to Toronto.

•

ANN SCHULTZ, cashier at Warners' Stanton, Philadelphia, will be married on Saturday to NATHAN DUBIN.

•

L. W. CONROW, Altec Service president, is back from a trip to the Coast.

SEC Holds Hearing On K-A-O Proposal

WASHINGTON, June 23.—Hearing before the Securities and Exchange Commission on the Atlas Company proposals for reorganization of Keith-Albee-Orpheum, today followed the usual pattern, with none of the interested parties appearing to testify.

After introduction of the application for exemption from the provisions of the investment company act by an SEC attorney, Trial Examiner Charles S. Lobinger called for witnesses, and, none appearing, ordered the hearing closed.

Adjournment Expected For K-A-O Meeting

The special stockholders' meeting of K-A-O, scheduled for today to vote on the refunding and consolidation plan for the company, is expected to be adjourned again for a brief period. A number of the contracts essential to the plan still are not in final form for stockholders' approval, it was indicated by company officials.

Roy Cooper Promoted

SAN FRANCISCO, June 23.—Roy Cooper, division manager of the Golden State circuit since 1938, has been promoted to assistant to Robert McNeill, general manager. His duties will include buying for the circuit's 37 neighborhood houses in this area. Hal Neides, formerly with Fanchon and Marco, becomes the new division manager.

Metro Buys 'Rio Rita'

Screen rights to "Rio Rita," the musical comedy produced by the late Florenz Ziegfeld which ran for nearly two years on Broadway, have been acquired by M-G-M.

Archibald Is Given Leave to Join RAF

George Archibald, co-managing director of United Artists in Great Brittain, who flew to England aboard the Trans-Atlantic Clipper last Friday after a visit here, has been granted a leave of absence. He may join the R.A.F.

If he is accepted, he will resign his UA post, leaving Teddy Carr in sole charge for U.A. in England. Carr is now in Lisbon awaiting Clipper passage en route to confer with company executives here.

Butte Houses Drop Weekly Giveaways

BUTTE, Mont., June 23.—The Rialto, American and Fox here, all of the Fox Intermountain circuit, are discontinuing weekly cash giveaways in compliance with an edict of State Attorney General John W. Bonner. These are the last theatres in the state to drop this type of giveaway.

Eastman Kodak Gets Army Lens Contract

WASHINGTON, June 23.—The War Department has given Eastman Kodak Co. of Rochester a contract for lenses totaling $249,920. The material will be allocated to Army camps presumably for use by the Signal Corps.

Soldiers' Guests Free

ST. LOUIS, June 23.—H. C. Riegel, manager of the St. Louis Theatre, has announced arrangements have been made for one admission ticket to admit a soldier in uniform and a woman guest at any time.

Pact for 6-Hour Day Discussed by Studios

Hollywood, June 23.—Negotiations between 10 IATSE studio unions and the producers are proceeding on a basis of a six-hour day for employes on daily call following the unions' rejection of the producers' proposal for an eight-hour day, five-day week. Progress in the discussions, which are on the unions' 16-point program of demands, was reported today. Pat Casey and Fred Pelton are representing the producers.

Missouri Program Bill Seen Doomed

ST. LOUIS, June 23.—Prospects for the adoption of a bill limiting the length of motion picture shows in Missouri this year are dim in view of an announcement that the Missouri legislature probably will adjourn within two weeks, without acting on the measure.

Milton F. Napier, counsel for the Better Films Council of Greater St. Louis, sponsor of the bill, said it seemed apparent the bill will not be voted on this session. The measure, aimed at eliminating multiple feature programs, would limit the length of a show to two and a half hours without an intermission.

Meanwhile, H. C. Reigel, Jr., manager of the St. Louis Theatre, Fanchon & Marco house, will start a poll this week of residential sections of the city—from which the theatre draws most of its trade—to determine the attitude of residents on single, double and triple features, and serials, giveaways and short subjects.

Seider Gets Interest

A deal has been closed for joint stock ownership of the Strand Theatre in Farmingdale, N. Y., between Joseph M. Seider of Prudential Circuit, and Sidney Jacobson, present operator of the house. A new house is planned on property adjacent to the present Strand.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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JIMMY CAGNEY

Tough, terrific and terribly funny!

BETTE DAVIS

Her first comedy in four long years!

"THE BRIDE CAME C.O.D."

From

WARNERS

JULY 12

with

TUART ERWIN · EUGENE PALLETTE · JACK CARSON

GEORGE TOBIAS · HARRY DAVENPORT

Directed by WILLIAM KEIGHLEY

Screen Play by Julius J. and Philip G. Epstein • From the Story by Kenneth Earl and M. M. Musselman • Music by Max Steiner

A Warner Bros.-First National Picture

Draft Laws to Restrict Axis Product Here

(Continued from page 1)

believed that at this time the Administration has in mind a flat prohibition against foreign propaganda, which would be difficult of enforcement.

In a letter from Secretary of State Hull to Senator James M. Mead of New York, made public by the latter yesterday, the Secretary of State said that in addition to the drafting of legislation to tighten existing restrictions, the State, Justice and Treasury Departments are considering other means to prevent the spread of Axis propaganda.

Cohen Started Move

Max A. Cohen, head of Allied Theatre Owners of New York, an MPTOA affiliate, has been responsible for calling to Senator Mead's attention the necessity of restricting Axis film importations into this country, as reported previously in MOTION PICTURE DAILY.

To Senator Mead's contention that German films should be banned, Hull replied that a careful watch over propaganda material had been kept by his department to determine whether the Foreign Agent Registration Act was being complied with.

Hull's Statement

Hull said: "Since it has been felt for some time that an elaboration and tightening of the statutory restrictions would be desirable, proposed amendatory legislation is now being drafted.

"Furthermore, this department, together with and in cooperation with the Department of Justice and the Treasury Department, is now giving active consideration to the question of whether the dissemination of Axis propaganda in this country cannot be prevented by other means, and it is my hope that a solution will soon be reached by which a proper control over the dissemination of propaganda material may be effected."

Donovan May Head Propaganda Supervision

WASHINGTON, June 23.—Col. William J. Donovan today was commissioned by President Roosevelt as a major general to supervise American military intelligence. This was seen by some observers as a step to exercise control to a large extent over such propaganda material as pictures. In that connection, the possibility was seen that Capt. James Roosevelt, who has returned from a world trip on intelligence matters, may play an important part in propaganda activity as one of Col. Donovan's aides. Col. Donovan's law firm, Donovan, Leisure, Newton and Lumbard, is counsel for RKO.

M. P. Relief Fund To Elect Officers

HOLLYWOOD, June 23.—The M. P. Relief Fund will hold its annual election of officers at a meeting here tomorrow night. Annual reports of committee chairmen will be given. Jean Hersholt, president, will have charge of the meeting.

"Kiss the Boys Goodbye"

(Continued from page 1)

tra, Elizabeth Patterson and Raymond Walburn, to list the tops.

Producer and director are William LeBaron and Victor Schertzinger, both of them distinguished over many years for their proficiency in the making of musical comedies and in evidence here at the peak of that proficiency.

Source work, from which the picture takes its title and plot, is Clare Boothe's stage play, the newspaper, magazine and radio comment on which was of a kind and persistence to din into the memory of the population that this was a hit show.

The picture is designed, exploitation-wise, to tap just about every sector of public interest, to wit:

Mary Martin, in fact a Southern belle, plays a Southern belle, only superficially counterfeit, in the picture; she also sings, among other good songs, a number entitled "My Start" in which she manages to divest herself of garments, inoffensively, much as in her original "My Heart Belongs to Daddy";

Don Ameche, a direct inducement to the feminine trade, plays a straight role and shares the singing;

Oscar Levant, of the "Information Please" program, the concert stage, the bookstalls and the fields of humor, plays a pianist-composer, as well as several pianos, and sparks the dialogue with a steady flow of wit;

Connie Boswell, of the Bing Crosby airshow, sings a song in characteristic fashion and with telling result;

Rochester, of the Jack Benny broadcasts, sings a song and executes a dance in a manner to stop any show;

John Scott Trotter and his orchestra, famed for their contribution to the Bing Crosby radio show, furnish superlative musical accompaniment and background, as well as a somewhat special addition to marquee copy.

The story as derived with some modification from the Boothe play, is about a talent search for an unspoiled Southern girl to portray a role in a Broadway show. Miss Martin, who has come to Broadway and deliberately doffed her dialect, goes back home and dons it again for the purposes of being discovered by the talent searchers, an enterprise in which she is successful after many amusing complications.

Handling this, many box-office values, contrasting talents and varied abilities, virtually any producer and director might have over-stressed one or two to the detriment of the others and the film in whole. Not so LeBaron and Schertzinger. The picture these veterans contrived is a smooth, balanced, light and altogether brilliant piece of high-tension entertainment. It stands out against the welter of contemporary screenings like a lighthouse in a fog.

Running time, 83 minutes. "G." ROSCOE WILLIAMS

**"G" denotes general classification.*

$5,600,000 Loan Set by Universal

(Continued from page 1)

cent and will provide funds for production and general corporate purposes.

More than $4,000,000 of the loan is understood to be new money. The First of Boston a year ago made available to Universal $1,500,000 for the retirement of a $1,110,000 studio mortgage held by Consolidated Film Laboratories.

"The new loan consolidates and expands the credit facilities available to the company," Cowdin said. "The additional working capital provided under the agreement is important at the present time since the company's current program calls for the manufacture of a substantial portion of the product for the 1941-42 season prior to its opening on September 1. Universal production is already well ahead of any previous year and it expects to enter the new season with a record number of pictures completed and in the hands of its exchanges for delivery in accordance with its release schedule."

Fairbanks' Stock to U. A. for $400,000

(Continued from page 1)

chase 2,000 shares each at the same price.

Superior Judge Jess E. Stephens permitted withdrawal of the objections by Mrs. Fairbanks, who had contended that the stock was worth much more and sought to prevent liquidation of the estate until the issue was settled.

United Artists was not represented in court. N. J. Ross, in addition to Pacht, represented Mrs. Fairbanks. Sidney Westzler of Freston & Files appeared for the Bank of America, executor of the estate, and Maynard J. Toll of Omelveny & Myers for the other Fairbanks heirs.

Max Hymes Sentenced

Max L. Hymes, former comptroller of Fox Movietone News, was sentenced to a total of 6½ to 16 years in prison for grand larceny and forgery by General Sessions Judge James G. Wallace yesterday. He was convicted on June 5 for taking $186,000 from the company over a period of years.

U. A. Lists Nine Pictures Ready For Selling Now

(Continued from page 1)

its customary total of 18 to 22 features during the new season, it will not commit itself at the outset either to a minimum or a maximum number of releases, Kelly said. It will be selling only productions which are far enough advanced in planning or production to be regarded as certain.

Under the company's return to [illegible] original policy of handling "quality rather than quantity" product a numerically comparable group or groups of pictures may be expected to make up its subsequent offerings, Kelly indicated.

It is not to be assumed, however, that the pictures will be sold as a "block," as there was no indication that United Artists would depart from its established practice of selling by individual pictures or producers.

Kelly said the next series of regional sales meetings will open here Sept. 15 and, as the current meeting schedule, will be followed by sessions in New Orleans, Cincinnati, Chicago and San Francisco.

Selznick-Capra Not Listed

As was expected, no mention was made of product from David O. Selznick and Frank Capra for the new season, due to the fact that the negotiations for them to join United Artists as producer-owners have been delayed. However, neither was any mention made of the two pictures still owing United Artists on Selznick's existing distribution deal with the company.

Neither was mention made of any product from the Maurice Silverstone-Mary Pickford combine. Other United Artists producers not represented in the current announcement, but whose production plans are expected to be formulated later, are Charles Chaplin, David Loew-Albert Lewin, Sol Lesser and Richard Rowland.

Early Product Listed

The initial product, all of which was made known earlier, consists of Alexander Korda's "Lydia," starring Merle Oberon; Walter Wanger's "Sundown," starring Gene Tierney, with Bruce Cabot, to be directed by Henry Hathaway; Edward Small's "International Lady," with George Brent, Ilona Massey and Basil Rathbone; Gabriel Pascal's "Major Barbara," starring Wendy Hiller; Arnold Pressburger's "The Shanghai Gesture," with Victor Mature, to be directed by Josef Von Sternberg; William Sekely's "New Wine," with Ilona Massey, Binnie Barnes and Alan Curtis; Hal Roach's two new featurettes, "Niagara Falls" and "Tanks a Million," and Michael Balcon's "Three Cockeyed Sailors."

Kelly also noted that Balcon plans to produce three additional new season releases for United Artists under the company's deal with the Ealing Studios in England.

Capt. James Roosevelt visited yesterday's sales session. Roosevelt's military duties will make it impossible for him to contribute to the company's release schedule during the new season, it is believed.

Singles Favored In Columbus Test

COLUMBUS, O., June 23.—"Our experiment was highly successful, and after we dispose of our present booking commitments, I am in favor of adopting a single feature policy," commented C. Harry Schreiber, city manager, and manager of the RKO Palace here, following a one-week test in which "In the Navy" was dualed with "For Beauty's Sake" in the afternoon, with "In the Navy" continuing as a single bill in the evening. "Our matinee business picked up somewhat, but there was a definite uptrend in the evening," he said.

Schreiber today announced a policy of single bills at matinees and duals in the evening, starting in mid-July.

From a poll taken in the lobby, it was found that approximately 73 per cent of the audience indicated a preference for single features; about 19 per cent preferred double features, and approximately eight per cent "didn't care which policy the house played."

"The surprising angle of the experiment was the large number of key executives of local business and industry who took the trouble to stop and express their personal approval of the single feature policy, adding that they were voicing the sentiments of the majority of their employes," Schreiber commented.

J. Real Neth, head of the Neth group of local neighborhood houses, recently conducted a test by playing the same pictures on single and double bills simultaneously at different houses, with an overwhelming preference for single features indicated. Neth at that time declared that he would immediately return to single features if he could obtain suitable product.

Heat Wilts B'way's Weekend Grosses

(*Continued from page* 1)

tation grossed about $45,000 Thursday through Sunday and will conclude a week's run tomorrow night. "Blossoms in the Dust" opens Thursday.

Business at the Paramount with "One Night in Lisbon" and Vincent Lopez and his orchestra amounted to an estimated $15,000 Saturday and Sunday. The show finishes its second week tonight with about $30,000 expected and will be replaced tomorrow by "Caught in the Draft" and Will Bradley's orchestra.

"Marjor Barbara" in its sixth week at the Astor brought about $5,200 and begins a seventh week today.

Para.-Sparks Deal Set for $1,350,000

(*Continued from page* 1)

torney for the circuit, arrived in New York yesterday for conferences with Leonard Goldenson, Paramount theatre head, preparatory to final closing of the deal. They, with other officials of the circuit, will continue to own the outstanding 10 per cent interest.

Details involved in the final closing of the deal may require another week to complete, it was said.

Hollywood Reviews

"They Met in Bombay"

(M-G-M)

Hollywood, June 23

WITH names of Clark Gable, Rosalind Russell and Peter Lorre for the marquee, and a solid variety of melodrama tinged with humor for satisfaction of the customers attracted by them, this Hunt Stromberg production directed by Clarence Brown looks like substantial, dependable entertainment material for the season.

The picture held interest steadily in its preview exhibition, eliciting audible response from the women and children present, particularly.

Gable and Miss Russell portray jewel thieves competing for possession of a fabulously valuable gem in Bombay on Empire Day. Circumstances of pursuit force them into a professional partnership which, during a series of adventures on shipboard and elsewhere, ripens into a romantic partnership, ultimately marriage, finally the reformation of both.

Highlight of the melodrama is a long sequence in which Gable, donning the uniform of a British soldier for criminal purposes, is caught up in a British-Japanese conflict in China and distinguishes himself so thoroughly that he is awarded the Victoria Cross. A high degree of suspense and tension is generated in this portion of the picture.

Others in the cast are Jessie Ralph, Reginald Owen, Matthew Boulton, Edward Ciannelli, Louis Alberni, Rosina Galli and Jay Novello.

Running time, 90 minutes. "G."* ROSCOE WILLIAMS

"Bachelor Daddy"

(Universal)

Hollywood, June 23

IN this picture a number of capable performers, including Edward Everett Horton, Donald Woods, Raymond Walburn, Franklin Pangborn, Evelyn Ankers and little Baby Sandy are given very little opportunity to display their talents. The cast was not able to overcome the obstacle of a poor story, and the result is a film which fails to rise above the level of weak program entertainment.

The story is that of a young widow, facing sentence for making and selling candy without a license, who conceals the existence of her little girl and arranges for her care by three residents of a Bachelors Club. Miss Ankers, the widow, is paroled and obtains the position of nurse to her own child. Plot complications are supplied by the fact that women are not permitted in the Club, the ban being extended even to Baby Sandy, and a deal which Horton, Woods and Walburn, the three brothers who are taking care of the baby, are trying to arrange for their candy company.

The picture was directed by Harold Young and Burt Kelly was the associate producer.

Running time, 61 minutes. "G."*

"I Was a Prisoner on Devil's Island"

(Columbia)

Hollywood, June 23

COLUMBIA'S long-titled film, "I Was a Prisoner on Devil's Island," is a formula melodrama with a background of the notorious French penal colony. Its chief characters are a young American who had served in the French Foreign Legion, a sadistic, grafting prison doctor, and his wife, with whom the youth is in love.

Sally Eilers, Donald Woods and Edward Ciannelli are the principal players, supported by Victor Kilian, Charles Halton, Dick Curtis, John Tyrrell, Eddie Laughton, Edmund Cobb, and Robert Warwick.

The plot evolves about the love of the youth for the wife of the doctor, she hating the latter intensely but agreeing to go with him to the penal colony because the American is sentenced there for an accidental murder. The climax occurs during an outbreak of jungle fever in the colony, when the theft of the medicine needed is exposed and the doctor and the commandant of the prison are killed.

The film will fit well in the program classification for which it is made. Lew Landers directed and Wallace MacDonald produced.

Running time, 69 minutes. "G."* VANCE KING

**"G" denotes general classification.*

Bausch & Lomb Dividend

ROCHESTER, June 23.—Dividends of 25 cents on the common stock and $1.25 on the preferred have been declared by the directors of Bausch & Lomb Optical Co. here.

Buys S. F. Firm Assets

SAN FRANCISCO, June 23—Photo and Sound, Inc., has purchased all physical assets and equipment of Metro Recording Co. here.

Milliken to Present Argentine Pact Data

Washington, June 23.—Pertinent details of United States participation in Argentine trade are expected to be laid before the State Department's Committee for Reciprocity Information Wednesday by Carl E. Milliken, secretary and acting foreign manager of the MPPDA.

Milliken is scheduled to appear before the committee during hearings which opened today on the proposed reciprocal trade agreement with Argentina. He is expected to urge negotiation of favorable terms on which distributors may do business, in return for concessions on Argentine products.

Ramsey Complaint Withdrawn Here

The clearance complaint of the Ramsey Theatre, Ramsey, N. J., against all five consenting companies was withdrawn at the New York arbitration board yesterday by stipulation of all parties.

It was learned that no settlement was made. No explanation of the withdrawal was given but it was stated that Marcus Werther, attorney for and brother of the plaintiff, had been called for military service, although that in itself is not regarded as the reason for withdrawal of the complaint.

The Ramsey action named the Lafayette Theatre, Suffern, N. Y., and the Warner, Ridgewood, N. J., as interested parties. It was filed May 1.

Postpone Philadelphia Hearing to June 30

PHILADELPHIA, June 23.—The clearance complaint of Samuel and Morris Romerson, operators of the Palm here, which was scheduled to be heard today, was postponed to June 30, the second consecutive postponement of one week. The case is the first local complaint involving the Warner circuit to be set for hearing.

Name Arbitrator in Cincinnati Case

CINCINNATI, June 23.—Fred W. Koch, local attorney, has been named arbitrator for the clearance complaint filed by Fred Rowlands, Columbus circuit operator, against the five consenting companies.

Exhibitor Wins in Neb. Monopoly Suit

(*Continued from page* 1)

with conspiracy to force him out of business.

The jury found actual damages to Hollingsworth to be $2,596.67, which under the law, is one-third of the amount the defendant must pay, or $7,789.01. Earlier, Munger directed verdicts favoring three Fox subsidiaries and two Fox officers after dismissing conspiracy charges against seven film companies.

Counsel for the defense indicated there would be no appeal.

Licensing of Networks Is Urged by Fly

WASHINGTON, June 23.—Only minor revision of the radio law, chiefly with respect to network broadcasting, is necessary to straighten out the difficulties between the industry and the FCC, it was declared today by Chairman James L. Fly.

Fly made it plain that he personally had no doubt as to the authority of the commission to act as it did in the promulgation of the May 2 network regulations, but suggested that the problem possibly could be met better by licensing networks.

Commenting on the recently ended hearings of the Senate Interstate Commerce Committee on the White resolution for a probe of the commission, Fly said he could see no reason for further inquiry and that "for all practical purposes, we have had the investigation."

Backs Court Action

He said that the commission was willing to have the question of its authority settled by the courts, but contended that the new regulations would result in a healthier situation all round.

Answering a question as to the truth of reports that Secretary of the Interior Harold L. Ickes, last month appointed Petroleum Coordinator by President Roosevelt, might also take over control of communications, Fly said he had not heard such rumors and expressed doubt as to Ickes' desire to add to the troubles he already bears.

Permits Sought for Three New Stations

WASHINGTON, June 23. — Applications for authority to construct three new broadcasting stations have been filed with the FCC.

The permits were asked by the Northeastern Pennsylvania Broadcasters for a 1,240-kilocycle, 250-watt station at Wilkes-Barre, Pa.; San Jacinto Broadcasting Co., for a 1,470-kilocycle, 1,000-watt station at Houston, Tex., and the Imes-Weaver Broadcasting Co. for a 1,240-kilocycle, 250-watt station at Murfreesboro, Tenn.

The commission also was asked to grant Station WGOV, Valdosta, Ga., a change of frequency from 1,450 to 1,460 kilocycles and increase of power from 250 watts to 500 watts night, 1,000 watts day.

New F M Transmitter Is Planned for WOR

DETROIT, June 23.—A new frequency modulation transmitter will be installed this Summer at WOR's FM station, W71NY, in New York. The transmitter was described here today at the Summer convention of the Institute of Radio Engineers as containing a number of improvements, including a new grounded-plate amplifier.

Off the Antenna

WARNERS yesterday began to share sponsorship of the Arthur Godfrey participation program over WABC daily except Sunday 7 to 7:15 A.M. The film company signed for two weeks, and in addition has taken the WABC news spot of June 29, 8 to 8:05 A.M. J. Walter Thompson was the agency.

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Program News: *Ben Grauer has been re-signed by the American Chicle Co. for "Behind the News" over NBC-Blue, Monday, Wednesday and Friday. . . . Pillsbury Flour Mills Co. will start a continuity strip program over* 43 *NBC-Blue stations Sept.* 11. *The contract is for* 52 *weeks, the show planned for* 10-10:15 *A.M., Thursday through Sunday. . . . Postal Telegraph has renewed its WHN contract for another year, including station-breaks, quarter-hour news programs and a Sunday sports resume. . . . Duo-Haler Co. has closed with WHN for station-breaks, starting Aug.* 11. . . . *"Love Parade" is a new weekly series of half-hour dramas over WINS, Sundays,* 9-9:30 *P.M. . . . NBC will pay tribute to Charles Evans Hughes, retiring Supreme Court Justice, with a Red network program in his honor June* 30. *Three former colleagues, Justices Roberts, Frankfurter and Murphy, will speak. . . . Mutual has obtained exclusive network rights to air all races at Arlington and Washington Parks, Chicago, from June* 28 *through Sept.* 26. *. . . John B. Hughes, Mutual newscaster heard from the Coast, now has a sponsor, Aspertane. He is heard over* 77 *stations Monday through Friday,* 12:45 *to* 1 *P.M.*

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The new all-night show on WOR has caused indefinite postponement of the station's facsimile broadcasting, formerly broadcast after 2 A.M., when the station signed off. When a new FCC license is granted, facsimile will be resumed.

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Purely Personal: *Charles Davidson, WOR engineer now in the Army, has been assigned to handle the public address system for the Billy Rose show now touring Southern camps. . . . Roland Hamel of the WHN publicity department has returned from two weeks at Cape Cod. . . . William Durkin and Carl Young, WHN engineers, have returned from vacations.*

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Press Association, Inc., the Associated Press subsidiary which handles news for radio, has announced the inauguration of "telescripts," described as a new treatment of special radio news features involving complete scripts cued for music or sound effects. It was announced that 23 additional stations have signed for AP service in the past three weeks.

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The July 4 broadcast of the Cities Service Concert over NBC will emanate from Toronto as part of an Independence Day celebration by the Canadian Corps Association and the American Legion.

Academy Recommends New Sound Methods for Theatres

HOLLYWOOD, June 23.—Recommendations for the improvement of sound reproduction and methods of minimizing or eliminating costly alterations to accomplish this result in established theatres were made by the theatre sound standardization committee of the Academy Research Council over the weekend.

The recommendations, made following months of study and surveys, are designed to coordinate theatre sound reproduction with the advancements and refinements accomplished in sound recording.

The Academy committee proposes the following essential design features: minimum volume consistent with required seating capacity and proper auditorium proportions, auditorium width of from 50 to 70 per cent of length and auditorium ceiling of not more than 40 per cent of the length, use of non-parallel surfaces (walls), use of convex rather than concave surfaces, auditorium absorption characteristics to provide the same rate of sound decay in vertical as in horizontal direction from side to side or from back to front walls.

Seats, Carpets

Also: Heavily upholstered seats and ozite lined carpet in aisles, backstage treatment giving a negligible amount of reflected or re-radiated sound from backstage into auditorium, carpeted proscenium designed for good viewing conditions from front seating section, auditorium walls with sufficient sound insulation material to prevent extraneous noise entering the auditorium, projection booth acoustically treated with fireproof material and projection ports equipped with acoustic baffles, all equipment subject to vibration and hum such as arc generators, voltage regulators and lighting control equipment to be isolated from the auditorium, air conditioning equipment of high volume low air velocity type with air ducts provided with acoustic baffles.

Affiliates with Circuit

HARTFORD, Conn., June 23.—Certificate of organization has been filed showing a new affiliation of Irwin Wheeler, operator of the Playhouse, New Canaan and Ridgefield, with the Prudential circuit. The new corporation, Prudential Connecticut Theatres, Inc., of New Canaan names Richard Knight, agent; Irwin Wheeler, president; Leonard A. Edwards, vice-president; Joseph M. Seider, treasurer, and John L. Slattery, secretary.

Service Plus

Cleveland, June 23

THE West Side Drive-In Theatre, situated across the road from the Cleveland airport, provides automobiles from which to see the show for waiting plane passengers.

The cars used are those of employes. Another feature of the service is that after the show passengers are taken to the airport for convenience in making planes.

Early AFRA Strike Settlement Unlikely

CINCINNATI, June 23.—There were no indications today of an early settlement of the strike called Friday at WKRC, local Mutual outlet, by the American Federation of Radio Artists, for "an open union and closed shop," and negotiations of wage scales and working conditions. This is said to be the first strike of radio artists in the country, and climaxes a deadlock in negotiations extending over the past 16 months. The station is being picketed.

"The picketing will become much more interesting as the strike continues," declared Mrs. Emily Holt, national executive of the AFRA. Hyman Faine, field representative, who came here with Mrs. Holt to direct the strike, said WLW, local NBC affiliate, was under AFRA contract and many of the stars of that station would join the picket line. Although the station still is on the air, a number of artists have walked out. Network programs have not been interrupted.

Awards to Newsreels, NBC Radio Reporter

ATLANTIC CITY, June 23.—Among the annual journalistic achievement awards announced by the National Headliners' Club for the past year are: Universal Newsreel, for films of the collapse of the Tacoma bridge as the outstanding domestic newsreel story of the period; Fox Movietone News, for films showing the sinking of the French fleet at the Battle of Oran, the outstanding foreign newsreel story, and Helen Hiett of NBC for "the best exclusive radio reporting of a news event, her broadcast on the bombing of Gibraltar."

B. D. Elliott and T. Harbine Monroe of Tacoma, who made the bridge collapse pictures, will be honored jointly with Universal Newsreel. Silver medallions will be presented at the annual dinner of the club here next Saturday.

Ascap Authorizes $1,000,000 Dividend

(*Continued from page* 1)

time was estimated at $1,400,000.

Ascap officials yesterday declined to comment on the Columbia Broadcasting System's counter offer of licensing terms for new Ascap network contracts, but indicated that they regarded it as being without merit.

WIBC Mutual Affiliate

With the inauguration of full-time operation, WIBC, Indianapolis, has become the regular Mutual affiliate in that city, replacing WIRE. WIBC operates on 5,000 watts day and 1,000 watts night.

Editing 84 New Pictures; 47 Now Shooting

Hollywood, June 23.—Forty-seven pictures were before the cameras this week, as 10 started, seven finished and one suspended. Thirty-four are being prepared and 84 are being edited. The tally by studios:

Columbia

Finished: "Texas," "Woman of Desire," "The Medico Rides."

In Work: "Blonde from Singapore," "Woman of Desire," "You'll Never Get Rich."

Goldwyn

In Work: "The Little Foxes."

M-G-M

Finished: "Down in San Diego" (formerly "Young Americans").

In Work: Untitled Dr. Kildare, Untitled Greta Garbo vehicle, "The Chocolate Soldier," "Whistling in the Dark," "Honky Tonk," "Life Begins for Andy Hardy," "Smilin' Through," "Ringside Maisie."

Suspended: "The Yearling."

Monogram

Finished: "Fugitive Valley."

In Work: "Rough Riders."

Paramount

In Work: "Reap the Wild Wind," "Timber Wolves," "Bahama Passage," "Sullivan's Travels."

Started: "Glamour Boy," "Flying Blind."

Wanger

In Work: "Sundown."

RKO

In Work: "Weekend for Three," "Look Who's Laughing."

Started: "Unexpected Uncle."

Republic

In Work: "Ice-Capades."

Started: "Ten Nights in a Barroom."

Roach

Finished: "Niagara Falls."

Started: "Tanks a Million."

20th Century-Fox

In Work: "How Green Was My Valley," "We Go Fast," "Man At Large," "Riders of the Purple Sage," "Marry the Boss's Daughter," "Yank in the R. A. F.", "Charlie's Aunt," "Wild Geese Calling."

Started: "Weekend in Havana."

Universal

In Work: "Almost An Angel," "This Woman Is Mine."

Started: "Arizona Cyclone," "The Americanos," "Bombay Clipper."

Warners

Finished: "Navy Blues."

In Work: "New Orleans Blues," "Nine Lives Are Not Enough," "The Maltese Falcon," "The Smiling Ghost," "Law of the Tropics."

Started: "One Foot in Heaven."

Coast SMPE Sets Meet at Mt. Wilson

Hollywood, June 23.—The Pacific Coast Section of the Society of Motion Picture Engineers will meet next Friday at the Mt. Wilson Observatory to hear scientists lecture on results obtained in using motion picture film to photograph celestial bodies.

Casting Is Big News from Coast Studios This Week

Hollywood, June 23

THE big news in Hollywood is the announcement of various castings for top roles in pictures by the studios. Henry Fonda, loaned by 20th Century-Fox to Warners for "The Male Animal" opposite Priscilla Lane, went to Columbia first to appear opposite Barbara Stanwyck in "You Belong to Me," formerly titled "The Doctor's Wife." At the same time, 20th Century-Fox bought the Charles Morgan novel, "A House of Peace," dealing with present day England, for a Fonda vehicle. M-G-M said Eleanor Powell's next role would be in "I'll Take Manila," in which she will play the role of a government sleuth. Edward Buzzell will direct and Irving Cummings produce.

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Herbert Marshall joined Joan Crawford, Robert Taylor and Greer Garson in M-G-M's "When Ladies Meet." Twentieth Century-Fox said that two comparative unknowns, Dana Andrews, whose contract the studio splits with Samuel Goldwyn, and Anne Baxter would top the cast with Walter Brennan in "Swamp Water," which the French director, Jean Renoir, would guide.

Gene Tierney and Lynn Bari get the top feminine roles in the same studio's "Hello, Frisco, Hello," musical based on the Barbary Coast which Milton Sperling will produce from a Robert Hopkins original. Glenn Ford has been set opposite Penny Singleton in "Cowboy Joe," western musical at Columbia, which also cast Florence Rice and Leif Erickson in "The Blonde from Singapore"; Osa Massen in "You'll Never Get Rich," and Anita Louise opposite Tommy Harmon, Michigan's ace football player, in "Harmon of Michigan."

Paramount placed former child star Jackie Searle in "Glamour Boy"; MacDonald Carey, stage actor, in "Take a Letter, Darling," his film debut; Frances Gifford and Victor Moore in "Louisinia Purchase." Grace Hayes, her son, Peter Lind Hayes, and her daughter-in-law, Mary Healy, have been set for Monogram's "Sis Boom Bah!" which Sam Katzman will produce. They will be supported by a group of Los Angeles college students who originated the idea of a musical revue and staged it here and in other California cities, before selling the idea to Katzman. Charlotte Henry replaced Cecelia Parker in Monogram's "Bowery Blitzkrieg," opposite Warren Hull. Wallace Fox directs.

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Additional M-G-M castings were: Jackie Horner and Ben Blue to "Panama Hattie;" Philip Dorn to the untitled "Tarzan" picture; Fay Bainter to "Babes on Broadway" and Marsha Hunt opposite Edward G. Robinson and Edward Arnold in "The New York Story," formerly called "New York Heart Beat." Jane Withers has started work in "Small Town Deb," directed by Harold Schuster, which precedes "Young America" on the 20th Century-Fox schedule.

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Samuel Goldwyn has revived his plans for "7th Cavalry," Custer's regiment, and has started negotiations with Army officers at Fort Bliss for cooperation in making the picture, which will star Gary Cooper. Robert Presnell, son of a former commander of the regiment and onetime mascot of it, is doing the script. The picture, however, will be made, according to present plans, after two others, one a comedy and the other, "The Singing and the Gold," in which the star will appear under the Goldwyn aegis.

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Alexander Korda has signed 14-year-old Patricia O'Rourke, who has not had any acting experience, to play opposite Sabu in "The Jungle Book." . . . Title changes include Warners' "You're in the Army Now" to "Right Shoulder Arms," and Columbia's "Amateur Angel" to "The Gentleman Misbehaves."

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Mona Maris, under contract to Warners, has been signed by Argentina Sono Film Motion Picture Co., for two pictures and will leave shortly on a goodwill tour of South America. . . . Laird Cregar, who had only two more scenes to do in 20th Century-Fox' "Charlie's Aunt," underwent an emergency appendectomy last week. . . . Edward Small has signed Gregory Ratoff to direct "The Corsican Brothers," starring Douglas Fairbanks, Jr., for United Artists release. . . . Max Brand, prolific magazine writer, is writing a novel based on Vicki Baum's original synopsis, "Powder Town," which RKO owns. After the novel is published, RKO will make a picture of it.

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M-G-M purchased "A Delicate Affair," story of three girls in New York by Frederick Kolmer for a Edwin Knopf production, and "Battle of the Century," by Paul Jarrico and Richard Collins which will be made as "That Was No Lady," by Producer Pandro S. Berman. Twentieth Century-Fox acquired film rights to "Blue, White and Perfect," by Borden Chase.

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Contract extensions were given last week to Ann Sothern and Donald Meek by M-G-M; Veronica Lake and Barbara Britton by Paramount and Rufe Davis by Republic.

British Trade Doubts Military Exemptions

London, June 23.—The film industry here is pessimistic over the outcome of the Government inquiry on film man power, following the industry's plea for the military duty exemption of film technicians. It is expected the Ministry of Labor's manpower committee will fail to make specific recommendations.

After a meeting late last week, the committee adjourned for three weeks. Despite protests, this delay was explained as necessary to permit the committee to examine detailed reports.

Puddin' Head
A REPUBLIC PICTURE
WRF
KARL: "Judy, my dear, I am going to make you a prima donna."
JUDY: "Gosh, Mr. Prince, I don't think I can drink one now."
JUDY CANOVA with
FRANCIS LEDERER
RAYMOND WALBURN • "SLIM" SUMMERVILLE
EDDIE FOY, JR. • ASTRID ALLWYN • ALMA KRUGER • HUGH O'CONNELL • "CHIC" CHANDLER
JOSEPH SANTLEY—Director • Screen play by Jack Townley and Milt Gross • Original Story by Jack Townley

NORFOLK PREMIERE PROVES IT'S THE SHOW SHOWMEN DREAM ABOUT!

Plays to 289% of average in first week at the Granb amid a broadside of exploitation that sets the pa for dozens of other engagements opening soo

"'Three Cock-Eyed Sailors' is about the best thing that has come across the Atlantic to date. This breezy, rollicking affair is good entertainment for any audience!"
—*Hollywood Reporter*

"Loads of Laughs . . . should prove popular at the box-office. A hilarious travesty on naval warfare!"
—*Daily Variety*

"This comedy of the sea should have great appeal to American lovers of the zany type of comedy!"
—*Motion Picture Daily*

"Showmen should have no trouble save that occasioned by hanging out the S. R. O. sign. Preview comment was built around the magic word 'sleeper'!"
—*Motion Picture Herald*

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presents

THREE COCKEYED SAILORS

with

TOMMY TRINDLER · CLAUDE HULBERT · MICHAEL WILDING · CARLA LEHMANN
Directed by Walter Forde · Released thru UNITED ARTISTS

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V[illegible] 12[illegible] NEW YORK, U. S. A., WEDNESDAY, JUNE 25, 1941 TEN CENTS

'Entertainment Only' for RKO Breen Declares

New Production Chief Enunciates Policy

Hollywood, June 24.—Joseph I. Breen today dedicated RKO to a policy of "entertainment only," in a 90-minute press conference at which he told invited interviewers, "When you put preachment, religion or politics on the screen you get into controversy with your audience."

Joseph I. Breen

The RKO production chief disclosed that Orson Welles will produce a minimum of three and possibly four pictures a year for the studio, under a contract agreed upon but not yet signed, combining writing,

(*Continued on page* 4)

Loew Circuit Division Heads Meeting Here

Loew Circuit division managers met yesterday with Joseph R. Vogel, in charge of circuit theatres outside New York, at the home office, in a conference on Summer operating plans.

Attending the two-day session are Carter Barron, Eastern, Washington; W. A. Finney, Southern, Atlanta; Charles Raymond, Great Lakes, Cleveland; Charles Kurtzman, Northeastern, Boston; Mike Cullen, Western, Columbus, and Harry Shaw, Loew-Poli New England, New Haven.

Equity Reiterates Its Anti-Red Stand

The council of Actors Equity Association yesterday reiterated its expressed stand of last September, when it voted a resolution insisting that it is unalterably opposed to Communism, definitely denied that Equity is Communist controlled, and declared that no member of any Axis or Communist group may be employed by Equity or hold office in the organization.

It was decided that some time after

(*Continued on page* 4)

Ill. House Approves Sandquist Measure

Springfield Ill., June 24.—The Illinois House last night passed the Sandquist bill, limiting film showings to 135 minutes, unless there is an intermission of 15 minutes every hour.

Approved by 81 to 49, the measure was sent to the Senate. It is similar to a bill passed by the legislature two years ago and vetoed by the Governor.

'U' Stresses Names; Revises Shorts List

Universal plans to concentrate on name stars and name bands in a revision of its short subject program for the new season, W. A. Scully, general sales manager, said yesterday.

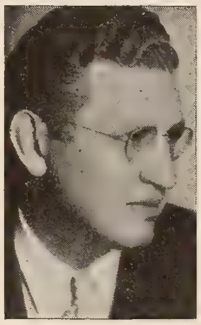
The decision on the policy change was made following a report by Bernard Kreisler, short subject manager, after a tour of 31 branches and conferences with studio officials. Kreisler also conferred with circuit executives in key cities.

Leading name bands and personalities will be featured in a series to be called "Personality and Name Band Musicals," of which four will be released this Summer, replacing the present two-reel novelty subjects. They include: "Shadows in Swing,"

(*Continued on page* 4)

Selznick to Make Two for U. A. Next Season, Capra One

Court approval of the purchase by United Artists of the Douglas Fairbanks' estate stock interest in the company removes the final obstacle to the deals by which David O. Selznick and Frank Capra will become United Artists producer-owners at once, Selznick said yesterday.



David O. Selznick

Two pictures are indicated from Selznick and at least one from Capra for next season. These, together with one from David Loew and Albert Lewin, announced by them yesterday, boost United Artists' known releases for the new season to 14 productions.

Selznick and Capra each will receive one-half of the stock in the Fairbanks' estate block and one-half each of the block recently acquired by United Artists from Samuel Goldwyn, thus giving the two producers the same in-

(*Continued on page* 4)

Allied Urges Releasing Big Pictures in Summer

A dearth of important pictures during the Summer months, free showings of 16 mm. films and other non-theatrical competition are cited by Allied States Association as injurious practices which have damaging long-range effects on theatre attendance, in the organization's current bulletin to members.

Pointing out that Allied is engaged in a campaign to "re-enlist the interest of the public in movies," the bulletin states that the distributors' failure to release big pictures when business is bad, and of resorting to the release of reissues at this time of year, limits the results of the exhibitors' efforts to regain patronage.

"The distributors appear to think," the bulletin says, "that it is good business to carry over all strong pictures until the next season rather than

(*Continued on page* 4)

Hays Back in N. Y. After Two Months

Will H. Hays returned to New York yesterday after an absence of two months during which he was confined to a Chicago hospital for five weeks. Prior to that he had been in Hollywood for several weeks and spent last week at his Sullivan, Ind., home.

A correspondent for the *Indianapolis Star* who visited Hays at Sullivan last week to observe the spectacle of the MPPDA president at "rest," wrote that he found Hays running "true to form." He "was partially concealed back of a table which seemed a foot or so deep with telegrams, letters and divers type of memoranda."

Hays plans to leave for Hollywood in about a week.

Rodgers Sets Metro Product For Summer

Announces 11 Pictures To End of August

William F. Rodgers, M-G-M general sales manager, yesterday announced a lineup of 11 pictures which the company will release during the remainder of the season up to the end of August.

Rodgers said his company has no intention of holding back leading product for the Summer, and expressed optimism over future business conditions.

"We are conscientiously fulfilling our obligations for the current year," Rodgers declared. "We are making no sacrifice in present quality for future benefits which might accrue to us."

The schedule announced by Rodgers includes: "The Big Store," with the Marx Brothers, June 20; "They Met in Bombay," with Clark Gable and Rosalind Russell, June 27; "Barnacle Bill," Wallace Beery, July 4; "Navy Blue and Gold" (reissue), July 11; "The Stars Look Down," July 18; "Ringside Maisie," July 25;

(*Continued on page* 4)

H. L. Nathanson Now President of Regal

Toronto, June 24.—Henry L. Nathanson, former managing director, has been announced as president of Regal Film Corp. (1941) Ltd., Canadian distributor of M-G-M product, following a reorganization of Regal Films, Ltd., the former title of the company.

Thomas J. Connors, Eastern, Southern and Canadian division manager of M-G-M, was named vice-president, and Charles K. Stern, assistant treas-

(*Continued on page* 4)

Expect K-A-O Plan Approval on Friday

The meeting of Keith-Albee-Orpheum stockholders to act on the proposed plan of refunding and consolidation for the company, scheduled for yesterday, was postponed to Friday to allow time for attorneys to complete contract forms.

Approval of the plan, which was exclusively reported in detail by Motion Picture Daily on June 2, is expected at the meeting.

Coast Flashes

Hollywood, June 24

FIRST of what the Screen Cartoonists Guild announced would be 400 Wages and Hour Act violation charges against Walt Disney Productions, Inc., was filed today by Ed Dunn, striking animator. He said the company owes him $230 overtime back pay, among other charges. Today was the 28th day of the Disney cartoonists' strike.

•

Having been signed by Republic to replace Bob Livingston in the "Three Mesquiteers" series, Tom Tyler today obtained his release from a co-starring contract with Lee Powell in six "Frontier Marshal" westerns on the Producers Releasing Corp. schedule. PRC is seeking a player to replace Tyler.

•

Jock Lawrence, assistant to Y. Frank Freeman, Association of M. P. Producers president, left for Washington today with Francis Alstock, assistant to John Hay Whitney of the Office of Cultural and Commercial Relations Among the American Republics, to confer with officials on work of the group.

Mary Pickford Ill

CLEVELAND, June 24.—Mary Pickford is under observation at the Cleveland Clinic, where she is expected to remain most of the week, Dr. Charles Higgins said today. It was said that she is not seriously ill.

Personal Mention

C. C. PETTIJOHN and DAVID PALFREYMAN of the MPPDA have returned from the Coast.

•

DAVID ROSE, Paramount managing director for Great Britain, and MAX MILDER, head of Warners' London office, now are scheduled to arrive in New York by clipper today after a further delay en route yesterday.

•

HELEN O'TOOLE, secretary to ED KUYKENDALL, MPTOA president, has returned from the Coast.

•

LIEUT. JOHN P. O'LEARY, son of the executive head of Comerford Amusement Co., Scranton, Pa., reports this week for active Army duty at Fort Benning, Ga.

•

MRS. OSCAR A. DOOB, wife of the Loew Theatres advertising and publicity chief, has returned from a Midwestern vacation.

•

NORMAN LINZ, manager of RKO Paramount, Cincinnati, is vacationing in the East.

•

THEODORE ROUTSON, manager of the Hippodrome, Baltimore, has recovered from a mild case of the mumps.

•

ANN R. HUNT, cashier at the Globe, Scranton, and FRANCIS T. BATTLE were married last week in Scranton.

•

JOHN GALVIN, manager of the Penn Theatre, Wilkes-Barre, Pa., has left for a vacation in California.

WILLIAM C. GEHRING, 20th Century-Fox Central division manager, has left for a Midwest tour and expects to return early next week. His assistant, TED SHAW, leaves today to join him in Detroit.

•

JOHN BALABAN and JACK KIRSCH have been named co-chairmen of the amusement division fund drive of the United Service Organization in Chicago.

•

ROBERT KINSLEY, manager of the Times, Cincinnati, has reported to Fort Thomas, Ky., for induction into the Army. ROBERT LIBSON, general manager of Times Theatre Corp., will operate the house.

•

JOE and AL LONGO, Loew circuit publicity men in Cleveland and Boston, respectively, have returned to their posts after a New York visit.

•

HELEN MASON is here from Toronto.

•

ALEX SINGELOW of Seattle is visiting here and plans to leave for Hollywood next week.

•

AMBROSE THEURER, Paramount Film Service salesman in Toronto, was injured in an accident near Forest, Ont., when his car overturned.

•

MICHAEL STENGLE, chief projectionist of the Allen, Allentown, Pa., has returned to work after recovery from a hand infection.

Newsreel Parade

THE Nazi-Russian conflict makes the lead subject in the newsreel issues, which show Sumner Welles explaining our policy on the matter, plus file material. The submarine disaster off Plymouth, N. H., also is covered. The reels and their contents follow:

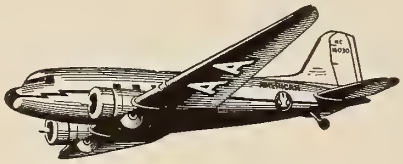
MOVIETONE NEWS, No. 83—Russia and Germany sign non-aggression pact; Germany conquers Poland; Russia's power (a review). Russia's Ambassador Oumansky speaks in Washington. Summer Welles discusses U. S. Submarine policy. 0-9 submarine disaster. James Roosevelt returns from abroad. Typewriting contest in Chicago. Atlantic convoy arrives in England. Tank maneuvers in England. Racing at Aqueduct. Water skiing in Florida.

NEWS OF THE DAY, No. 281—Welles on the Nazi-Russian war. Services for sunken sub crew off Portsmouth. James Roosevelt arrives in New York. Troop maneuvers in King City, Cal. Typewriting contest in Chicago. Track meet in Palo Alto, Cal.

PARAMOUNT NEWS, No. 86—Submarine salvage efforts halted; sea burial services held. War supplies leave Canadian port, met by British warships in Atlantic. Soviet land and air equipment; Communist reaction here to German-Russian war; world map changes.

RKO PATHE NEWS, No. 86—Navy pays tribute to crew of sunken sub off Portsmouth. Welles announces U. S. attitude on Nazi-Russian war. Biggest convoy reaches England from Canada. British take Nazi prisoners in Libya. Tank maneuvers in England. Typewriting contest in Chicago. Test new trap defenses at Camp Liggett, Cal. Ford employes sign labor pact. Track meet in Palo Alto, Cal.

UNIVERSAL NEWSREEL, No. 991—Russian Ambassador Oumansky gives his country's views in Washington; U. S. position in new crisis explained by Welles. Services for sub victims off Portsmouth. Convoy crosses Atlantic. Tank maneuvers in England. Troop maneuvers in King City, Cal. Water skiing race in Florida.



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AMERICAN'S SOUTHERN ALL-YEAR ROUTE

★ Five American Flagships daily take you along the Southern route across Virginia, Tennessee, and through Texas and Arizona to Los Angeles and the Pacific Coast. Save days of time, enjoy every minute of your trip. For reservations, call your Travel Agent or HAvemeyer 6-5000. Ticket Offices: 18 W. 49th St. at Rockefeller Center and Airlines Terminal, 42nd Street at Park Avenue.

AMERICAN AIRLINES Inc.

ROUTE OF THE FLAGSHIPS

Extend Jurisdiction On Schenck Sentence

Federal Judge Edward A. Conger yesterday signed an order which extended the term of the court in reference to the Government prosecution of Joseph M. Schenck and Joseph Moskowitz until August, 1942. The extension was made at the request of the defendants and with the consent of U. S. Attorney Mathias F. Correa. The U. S. Attorney's office yesterday refused comment on the order or the reason for Correa's consent to it.

Hold Rites for Renton

BRIDGEPORT, Conn., June 24.—Funeral services were held here today for Edward R. Renton, 70, veteran theatre man, who died last Thursday in Waverly, Pa., where he was manager of the Comerford Circuit's Capitol. He is survived by his widow.

Circuit Veteran Dies

WATERLOO, Ia., June 24.—Nicholas Webber, operator of a circuit of theatres from 1910 to 1917 and interested in sports since that time, died here last week following a month's illness. He is survived by his widow.

Elliott Dexter Dead

Elliott Dexter, 71, stage and screen actor of the silent films, died yesterday at the Brunswick Home, Amityville, Long Island, after an illness of several weeks. He retired in 1930.

Gibbons Joins Nizer

Thomas Gibbons, lawyer formerly with Dwight, Harris, Koegel & Caskey, has joined the firm of Phillips, Nizer, Benjamin & Krim.

Dance Carnival Ends 22-Day Garden Run

Monte Proser closed his Dance Carnival at Madison Square Garden last night after 22 days of operation because of poor business. Only in the first week did the big name band and dance attraction draw large crowds. The bands of Benny Goodman, Charlie Barnet, Larry Clinton and Ben Bernie were used.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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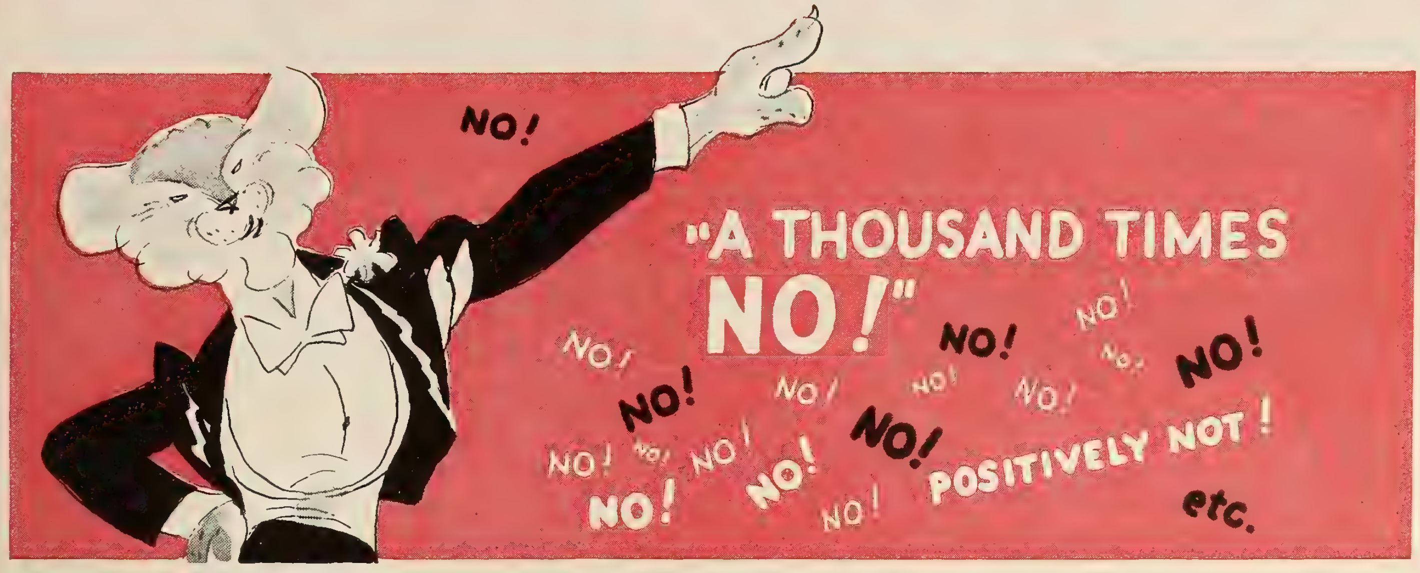
"HOLDING BACK?"


NO!
"A THOUSAND TIMES
NO!"
NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO! NO!
POSITIVELY NOT!
etc.

M-G-M RELEASES FROM NOW TO THE FALL!

JUNE 20th
MARX BROS. & TONY MARTIN
in the big musical comedy
"THE BIG STORE"

•

JUNE 27th
CLARK GABLE—ROSALIND RUSSELL
in Clarence Brown's production
"THEY MET IN BOMBAY"

•

JULY 4th
WALLACE BEERY in "BARNACLE BILL"

•

JULY 11th
JAMES STEWART, ROBERT YOUNG
LIONEL BARRYMORE in
"NAVY BLUE AND GOLD"

•

JULY 18th
Watch for Announcement
SPECIAL PREVIEW ENGAGEMENT
"THE STARS LOOK DOWN"

•

JULY 25th
ANN SOTHERN in "RINGSIDE MAISIE"

•

AUGUST 1st
"LIFE BEGINS FOR ANDY HARDY"
Lewis Stone, Mickey Rooney, Judy Garland
and all the folks

•

AUGUST 8th
"MARY NAMES THE DAY"
(*The New Dr. Kildare Hit*)
Lew Ayres, Lionel Barrymore, Laraine Day

•

AUGUST 15th
GREER GARSON — WALTER PIDGEON
"BLOSSOMS IN THE DUST"
(*Technicolor*)

•

AUGUST 22nd
"WHISTLING IN THE DARK"
All-Comedy Cast of Funsters

•

AUGUST 29th
JOAN CRAWFORD, ROBERT TAYLOR
GREER GARSON, HERBERT MARSHALL
"WHEN LADIES MEET"

In presenting its major stars during June, July and August in a multi-million-dollar production line-up-M-G-M pridefully calls industry attention to:

THE CONSCIENTIOUS COMPLETION OF ITS ACKNOWLEDGED OBLIGATIONS OF TOP BRACKET PICTURES FOR THE YEAR!

"It was a pleasure"

WE HAVE NOT HELD BACK! NO SACRIFICE HAS BEEN MADE IN PRESENT QUALITY TO EXHIBITORS! OUR GREAT SUMMER PICTURES SPEAK FOR THEMSELVES!

THE FRIENDLY COMPANY

'Entertainment Only' for RKO Breen Declares

(Continued from page 1)

directing and acting with his production responsibility in varying arrangements.

Welles' "Citizen Kane," Breen said, will be offered exhibitors in one of the company's blocks of five, probably in the second.

Will Seek Talent

Breen will seek to obtain for the studio the services of a number of top flight producers, writers, directors and players, he said, elaborating upon this to emphasize his belief that the writing of a picture accounts for its success or failure in greater degree and in more instances than any other factor. The new head of production and studio management illustrated this declaration by inviting his listeners to reflect back upon the story values of pictures which had made the present leading stars famous, naming names and cases off the record, and to reflect also on the stories of pictures of more recent record, which, in the past two years, have accounted for the failure in popularity of stars who have fallen into disfavor.

Asked what producers would be invited to sign up under the RKO banner, Breen declined to supply names, but denied emphatically that he would engage in "raiding" operations, which he described as "unethical."

He spoke at length of his confidence in Welles, whom he said he knew intimately long before he became identified with the screen, and said he intends to give the producer-writer-director-actor ample freedom to work out his own ideas. Welles' deferred projects, "The Smiler with a Knife," "Heart of Darkness" and an untitled story of Mexico, locale of which will be changed, are on the Welles' agenda, Breen stated.

Priorities Bar Expansion

There will be no removal of the studio from its present location at this time, Breen said, although expansion of capacity is required. Difficulty and expense of building at this time, due to priorities rulings because of national defense requirements, were given as reasons for continuing at the Gower Street plant. Overflow work will be done at RKO's Culver City studio.

Asked about a successor for his vacated position as Production Code Administrator, Breen spoke in detail of the circumstances of his leaving that post. He said he had no information as to who would succeed him and had heard no candidate mentioned, save in trade press reports.

Lasky Will Produce Second Film for W.B.

Jesse L. Lasky has closed a deal with Warners to make another film for that company's release, he disclosed here yesterday on his arrival from the Coast. His first film for Warners, "Sergeant York," will open at the Astor on Broadway next Wednesday. He is here to attend the opening, and plans to leave at the end of next week.

Allied Urges Releasing Big Pictures in Summer

(Continued from page 1)

to release any of them while business is so bad. This means surrendering the field for the time being to rival forms of entertainment with the accompanying risk that the public may get entirely out of the movie-going habit.

Aim to Hold Interest

"Certainly it is not asking too much to expect the major producer-distributors to release a few big pictures during the Summer season so that the public will not entirely lose interest. Moreover, such action on the part of the producer-distributors would greatly aid the efforts which the independent exhibitors are making to keep alive the public's interest in the movies," the bulletin asserts.

Of 16 mm. competition the bulletin says: "Of course, distributors will deny that they license films for non-theatricals but the fact is they permit their copyrighted films to be reduced to 16 mm. and then to pass out of their control so that they can be used in giving free shows in competition with established theatres."

In asserting that films "are losing ground in the struggle for the public's favor," the bulletin relates that the following diversions were advertised recently in the local newspaper of the small town of Medford, Wis.:

'Talkie Movie' Competition

One film theatre in Medford, one in the nearby town of Phillips, one traveling carnival, one roller skating rink, 17 taverns and resorts offering one fish fry, two chicken fries, one free birthday dance, one free married folks dance, four free wedding dances, eight name bands including Orrin Tucker with Bonnie Baker, and five free "talkie movies" shows.

"The most serious part of the competition in Medford," the bulletin asserts, "is the many free 'talkie movies.'"

Unofficial Blackouts Banned by Ontario

Toronto, June 24.—G. B. Conant, Attorney-General of Ontario, has issued an order prohibiting unauthorized blackouts in Ontario because of the dangers and legal complications involved. Apart from the official blackout in Toronto and Hamilton a Toronto theatre staged a private blackout of its own during a show while business houses were considering similar stunts, but the Provincial Government has ruled that no more can be held except under official arrangements.

'U' Stresses Names; Revises Shorts List

(Continued from page 1)

with Jan Garber; "Music a la King," with Henry King; "Music in the Morgan Manner," with Russ Morgan, and "Once Upon a Summertime," with Skinnay Ennis.

In the new lineup, 15 one-reelers, each with a separate title and known as "Variety Views," will replace the present "Going Places" series. Five will be color. Sports, politics, comedy and other material will be included. The first subject will feature the Dionne Quintuplets and Dr. Roy Dafoe.

The "Stranger Than Fiction" series also will be released with a separate title for each reel. Locations for possible local exploitation will be emphasized in the 15 subjects.

13 Technicolor Cartoons

In addition, there will be 13 Andy Panda cartoons in Technicolor, of which six will be based on the Andy Pandy character and seven on Panda's Pals. Walter Lantz is producer.

The four serials will be produced with the design of attracting adult patronage. They will include: "Riders of Death Valley," "The Gang Busters," "Sea Raiders" and "Head Hunters of the Amazon," from the novel of the same title. A special two-reeler will contain the outstanding thrill events of the past 10 years, completing the short subject lineup.

Equity Reiterates Its Anti-Red Stand

(Continued from page 1)

Labor Day a committee would be named to work with the legal department in the formulation of a constitutional amendment embodying the anti-Communist policy expressed in the resolution. Such an amendment first would have to be approved by the council, then voted upon in a referendum of members. The council yesterday took no action on the replacement of two vice-presidents who resigned recently over the Communist issue.

Rodgers Sets Metro Product for Summer

(Continued from page 1)

"Life Begins With Andy Hardy," Aug. 1; "Mary Names the Day," Dr. Kildare film, Aug. 8; "Blossoms in the Dust," with Greer Garson, Aug. 15; "Whistling in the Dark," with Red Skelton, Aug. 22; "When Ladies Meet," with Joan Crawford and Robert Taylor, Aug. 29.

H. L. Nathanson Now President of Regal

(Continued from page 1)

urer of Loew's, Inc., was named secretary-treasurer.

The dissolution of a holding company for Regal took place immediately after the resignation of N. L. Nathanson, brother of Henry Nathanson, as president of Famous Players, and announcement is made that Paramount no longer holds a financial interest in the M-G-M distributing company, whose first outlet in Toronto is Loew's Theatre.

Selznick Plans Two Films for UA, Capra One

(Continued from page 1)

terest in the company as those of Alexander Korda, Mary Pickford and Charles Chaplin, and restoring United Artists to the five-way ownership basis which existed prior to the [illegible] of Douglas Fairbanks and the [illegible]drawal of Goldwyn.

The legal papers covering the Selznick-Capra deals will be sent here from the Coast at once, Selznick said, and if they are in proper order they will be signed immediately, making possible the closing of the deals within a few days.

Selznick plans to make "Jane Eyre" and "Claudia" during the new season, but has not yet decided which he will start first, he said. He expects to leave for the Coast in about a week and will make his production decision following his arrival there.

Selznick has been offered both the post of United Artists president and that of chairman of the board in the course of his recent negotiations with the company but has indicated that he is not receptive to either offer.

Seven of nine pictures named at United Artists regional sales meeting here Monday are for 1941-'42 and three others are scheduled to be made by Ealing studios, London. Other new season production possibilities for the company are in the as yet unannounced plans of Richard Rowland, Sol Lesser, Maurice Silverstone-Mary Pickford, and Chaplin. In addition, it is known that Korda, Walter Wanger, Gabriel Pascal, Edward Small and Hal Roach will contribute productions in addition to those credited to them by the company on Monday. Thus, a conservative estimate of the company's new season releases would be in excess of 20.

The Loew-Lewin production announced yesterday is "The Mating Call," an original story by Lois Montross and screenplay by Ben Hecht. Carole Lombard is being sought for the starring role.

U. A.'s Eastern regional convention ended here yesterday.

New Orleans Regional Opening Tomorrow

NEW ORLEANS, June 24.—United Artists Southern regional sales meeting will be held at the Roosevelt Hotel here Thursday and Friday. The following will attend:

Arthur W. Kelly, vice-president; Harry L. Gold, vice-president and Eastern general sales manager, and David E. Weshner, exploitation director, from the home office; C. E. Peppiatt, Southern district manager; T. L. Davis, Atlanta branch manager; R. J. Barnes, Lynn E. Dunn, William Shiell, Jr., and E. H. Hays, Atlanta salesmen; Jay Schrader, Charlotte branch manager; R. M. Beevy, H. D. Hearn and Frank Rule, Charlotte salesmen; B. C. Gibson, Dallas branch manager; T. R. Barber, A. J. Del Cambre, T. E. Laird, Paul L. Chapman and Roy Sachs, Dallas salesmen; Floyd P. Murphy, New Orleans branch manager; Milton Dureau and J. S. Moreland, New Orleans salesmen.

Listen America!

to

"THE MILLION DOLLAR BROADCAST" in behalf of U.S.O.

SUNDAY, JUNE 29th
11:30 p.m. until 1:55 a.m.
Eastern Daylight Saving Time

Columbia Broadcasting System
(WABC locally) Direct from
Hollywood Bowl.

Among the stars who will definitely appear are:

(Listed Alphabetically)

BRIAN AHERNE
EDWARD ARNOLD
FRED ASTAIRE
GENE AUTRY
JACK BENNY
CONNIE BOSWELL
EDDIE CANTOR
BING CROSBY
WALT DISNEY
MELVYN DOUGLAS
IRENE DUNNE
CARY GRANT
BOB HOPE
MARY LIVINGSTON
EDMUND LOWE
HERBERT MARSHALL
FIBBER McGEE and MOLLY
CARMEN MIRANDA
RALPH MORGAN
GEORGE MURPHY
MARY PICKFORD
ELEANOR POWELL
DICK POWELL
BUDDY ROGERS
ROSALIND RUSSELL
and countless others

ALL PROCEEDS TO UNITED SERVICE ORGANIZATIONS

Listen! Listen! Listen!

Ask New Nominees For British Council

LONDON, June 24.—Despite the recent nomination by the Kinematograph Renters Society (distributors) of Sam Eckman to replace D. E. Griffiths on the Cinematograph Films Council, the Board of Trade has asked for further nominations from which to make a selection. The KRS today decided to submit the names of all members of the KRS council.

Denman Resigns Iowa Circuit Post

DES MOINES, June 24.—Jesse W. Denman, treasurer of the Central States Corp., has bought a half interest in the Princess Theatre, Eagle Grove, Ia., and in the Clarion at Clarion, Ia., from E. E. Morris. Central States owns a half interest in each.

Denman has resigned from Central States to devote his time to the management of his business interests and the management of the personal business of A. H. Blank. He has been associated with the Blank organization for the past 22 years. L. M. McKechneay, treasurer of the Tri-States Theatres, will act also as treasurer of the Central States.

NBC, Skouras Win Games

NBC defeated the Paramount baseball team, 5-2; Skouras Theatres defeated M-G-M, 7-6, and International Projector was awarded a forfeit over Universal, in most recent scheduled games in the Motion Picture Baseball League.

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Feature Review

"Wranglers Roost"

(Monogram)

Lincoln, June 24

HERE is another in George Weeks' "Range Busters" series and as good as any of the previous issues. It is dandy action fare with a thin screen of mystery. Plot has the Range Busters, Ray "Crash" Corrigan, John "Dusty" King and Max "Alibi" Terhune, assigned to track down a stagecoach robber who resembles an outlaw of several years back, "Black Bart."

The script runs expertly through the attempts to find the bandit, nice romantic interlude and final revelation of one of the town's solid citizens as the old "Black Bart" but who has now reformed. The real crook is brought to justice and the trio rides on.

Forrest Taylor, Gwen Gaze and George Chesebro are excellent in support and S. Roy Luby's direction is well paced and points up the high spots.

Running time, 57 minutes. "G."*

**"G" denotes general classification.*

Screen Aiding Army Since 1937, Kiwanis Group Told

GLOVERSVILLE, June 24.—The film industry has been cooperating with the Government since 1937, Arthur H. DeBra of the MPPDA, New York, told the Gloversville Kiwanis Club and representatives of the Schine Circuit at a luncheon here today.

DeBra said that the industry contributed advice, personnel and cooperation to the Army in 1937 and 1939 in the production of 250 reels of training pictures produced at Fort Monmouth and at Wright Field. In addition, he said, film service to the Navy is on a continuous basis.

Reviewing the industry's work in national defense activities at present, DeBra told the meeting that "pressure groups" with their demands for film attention, and the limited amount of time available for special films on theatre programs, because of double features and established show hours, made necessary the efficient organization within the industry which is directing and coordinating its defense activities.

"Selecting national defense subjects for a theatre program has not been an easy task," he said. "Choosing badly or too much or too little means more than a loss of customers; it means losing the very influence you hope the screen may be for the best interest of America."

He pointed out that the screen material sponsored by the industry's coordinating committee is not "forthright propaganda" but more of a factual presentation of what is being done and can be done to aid the nation's defense program, and contrasted this with the films and purposes to which the screens of dictator-ruled nations are put. He reminded the audience, also, that American exhibitors are not required to exhibit the films but have volunteered to do so as a patriotic service.

"Believe me," DeBra said, "the absence of forthright propaganda films from our screens evidences no lack of ability to make them. I suspect that one reason the Axis powers closed their doors to our pictures was their certainty that we could surpass them at that business. But we have believed that you did not want, and certainly we did not wish to make, hate films or shock films."

FP Canadian Delays Managers' Meeting

TORONTO, June 24.—The managers' sales conference of Famous Players Canadian Corp. will not be held until September, according to latest information, the big meeting having previously been scheduled to be held in August to prepare for the new season under the direction of the new president, J. J. Fitzgibbons.

It is believed that the postponement of one month has been arranged to permit a crystallization of the theatre and contract situation in the Dominion during the Summer with the organizing of different theatre groups, competitive and otherwise.

Club Tourney July 11

MINNEAPOLIS, June 24.—The Twin City Variety Club will hold its annual golf tournament July 11 at Oak Ridge Golf Club. The tournament will be followed by a dinner and entertainment.

Legion Approves Twelve New Films

The National Legion of Decency for the current week has approved all of the 12 new pictures reviewed, eight for general patronage and four for adults. The new films and their classification follow.

Class A-1, Unobjectionable for General Patronage—"The Gang's All Here," "Hit the Road," "Hurry, Charlie, Hurry," "Kansas Cyclone," "Nevada City," "New Wine," "Passage from Hongkong," "San Antonio Rose." Class A-2, Unobjectionable for Adult—"The Big Store," "Mail Train," "The Parson of Panamint," "Time Out for Rhythm."

Take PRC Franchise

The Little Rock, Ark., franchise for Producers Releasing Corp. has been taken over by B. F. Busby, G. W. Jones and Fred Lawrence, under the name of Central Film Co.

Short Subject Reviews

"This Is the Bowery"

(M-G-M)

John Nesbitt's "Passing Parade" penetrates New York's Bowery, the scene of flophouses, pawn shops and derelicts. The film centers around one typical individual, broke and homeless, who finds a new outlook on life through the Bowery Miss[illegible] Nesbitt handles the subject with tact and understanding, making it thoroughly real and interesting. Running time, 10 mins.

"I'll Never Heil Again"

(Columbia)

The Three Stooges in burlesque impersonations of the three Nazi party leaders carry on in their usual fashion, Moe as the gibberish-spouting dictator with the "personality" mustache, Curly as the medal-bedecked General Herring, and Larry as the minister of propaganda. Their labored efforts are occasionally funny. Running time, 18 mins.

"Cuban Rhythm"

(M-G-M)

For the edification of those who would care, Pete Smith brings to the screen the fundamentals of rhumba and conga dancing, based on Arthur Murray's book, "How to Become a Good Dancer." The intricacies of the rhythmic dances are gracefully demonstrated by Murray's star instructors, Mickey Alvarez and Madeline Pollard. This has potentialities with the music-box trade, among others. Running time, 9 mins.

"Dance of the Weed"

(M-G-M)

A cartoon fantasy by Rudolph Ising, this relies mostly on its musical background and color structure for its entertainment value. In the foreground is a very light and amusing little fable concerning a weed and a flower, one rescuing the other from a dragon-like character. The music, color and sketching are clever all the way through and make for a pleasant and different cartoon. Running time, 9 mins.

"The Battle"

(M-G-M)

Carey Wilson delivers in this a timely, topical short on a mimic naval battle. The film follows all branches of the fleet setting out and finally engaging the "enemy," which approaches the Panama Canal. The function of the various boats, sailors hustling to their posts, big guns in action and an aside on a hospital unit all are shown. It is all very well done. Running time, 11 mins.

"Memories of Europe"

(M-G-M)

A special Fitzpatrick "Traveltalk," this is an assortment of color films taken in Europe before the war. It includes such scenes as the Paris Exposition, Holland in tulip time and a colorful parade in Czechoslovakia. The commentator grimly emphasizes that what is being seen in the film no longer exists. Running time, 8 mins.

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The 1941-42 International Motion Picture Almanac will soon be on the press and, in keeping with these changing times, it will be one of the most important editions of a decade.

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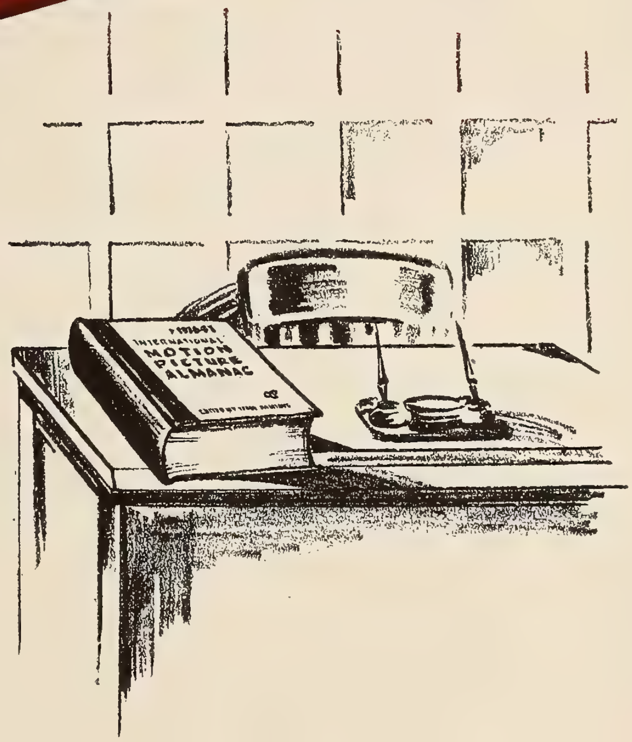
Edited by TERRY RAMSAYE



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NBC's Answer to Ascap Pact Offer Expected Friday

What is expected to be a final meeting between Ascap and NBC on a new music licensing agreement is scheduled to be held Friday.

NBC, at that time, is expected to present the answer of its affiliated stations, as well as its own answer, to Ascap's proposed license terms. Ascap, at the same time, is scheduled to reply to NBC's proposals made in the course of the long drawn-out negotiations.

Ascap officials have indicated that they believe an agreement can be reached, if not at Friday's meeting then at some subsequent session. A resulting contract would have no bearing on the projected Ascap anti-trust suit against NBC, CBS, BMI and National Association of Broadcasters, it was said. Ascap takes the position that any ensuing contract will not liquidate the damages it charges it has suffered from being kept off the air since Jan. 1.

No meeting with CBS officials has been set and the counter offer of the network for new licensing terms sent to Ascap last week has been referred by Ascap to its legal committee without comment.

The Ascap publishers' nominating committee is scheduled to meet tomorrow and the writers' nominating committee on Friday to prepare a slate of two candidates for each of the six board posts for which the two groups are entitled to elect directors. Incumbent directors automatically are candidates for reelection, so there will be three candidates for each of the 12 board vacancies. Voting will be by mail during the next 30 days.

Three Join Milliken On Argentine Study

Franklin S. Irby of 20th Century-Fox, Eugene F. Walsh, Universal, an John Nathan, Paramount managing director for Argentina, who is here for a home office visit, will testify with Carl E. Milliken, MPPDA secretary and acting foreign department head, before the State Department's Committee for Reciprocity Information in Washington today.

The hearings concern the reciprocal trade agreements between this country, Argentina and Uruguay. The film industry's interest in the agreements will be set forth by the four representatives.

Montgomery Offers Services to Navy

WASHINGTON, June 24. — Robert Montgomery, who drove an ambulance in France before the fall of that country, today volunteered for training duty in the Navy and will report for service July 1 in the Office of the Chief of Naval Operations.

Montgomery, who holds a commission as lieutenant in the Naval Reserve, conferred with Rear Admiral Arthur J. Hepburn, Chief of the Office of Public Relations, and there were indications that he will be assigned to duty in connection with publicity for the enlistment of additional men for the expanding Navy.

Off the Antenna

DETAILS of the first U. S. Treasury Department program in the 13-week series, "Treasury Hour Millions for Defense," to be heard over CBS next Wednesday, 9-10 P.M., were disclosed at a press conference yesterday at the Barberry Room. Designed to promote the sale of defense securities, the program will be supervised by Howard Dietz, coordinator, with Earle McGill, CBS casting head, as director, and Paul C. Munroe assisting Dietz.

Treasury Secretary Morgenthau will speak on the opening program. Numerous stage, screen and radio personalities will be heard, including Fred Allen, master of ceremonies; Judy Garland, Mickey Rooney, Grace Moore, the "Information Please" performers, Al Goodman's orchestra and others. Subsequent programs will include such players as Bob Hope, Dorothy Lamour, Lily Pons, Burns and Allen, Alexander Woollcott and others.

• • •

Purely Personal: *Lincoln P. Simonds, former manager of the Texas State Network's New York office, has joined the local sales staff of Weed & Co., station representatives. . . . Burgess Meredith will succeed Edgar Guest as host of "We the People," beginning with the July* 1 *broadcast over CBS. . . . Frances M. McKernon of the staff of WARM, Scranton, Pa., and Frances Perry, secretary to the WARM program director, were married in Scranton last week. . . . Gerald Wade, member of the NBC International Division English staff, has been granted a three-month leave of absence to prepare for a diplomatic service examination. . . . H. M. Beville, NBC research manager, has been elected executive committeeman-at-large of the Market Research Council. . . . John C. Schamm, formerly with WOV, NBC and WOR, has been appointed production manager of WBYN, Brooklyn.*

• • •

Effective July 15, KGBX, Springfield, Mo., will become a basic supplementary outlet for the NBC Red and Blue networks, according to William S. Hedges, vice-president in charge of station relations.

• • •

WNEW will receive a trophy awarded by the American Legion "in recognition of its continued and outstanding service in furthering the ideals of Americanism," at the county convention of the American Legion of New York at the Hotel Pennsylvania July 9. WNEW was awarded a similar plaque last year.

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Program News: *"Death Valley Days" will start on CBS, Thursday, July* 3, 8-8:30 *P.M. Sponsor is Pacific Coast Borax Co. . . . Colgate-Palmolive-Peet Co. has renewed for* 52 *weeks the "Story of Bess Johnson," on* 63 *NBC-Red stations, Friday,* 10-10:15 *A.M. . . . NBC plans five special broadcasts from the National Education Association annual convention at Boston, June* 29-*July* 3. . . . *Ronzoni Macaroni Co. has taken two WOR spots, a five-minute series three times weekly, featuring Jim Parsons, Tuesday, Thursday and Friday,* 10:55 *A.M., and "Dear Imogene," participating program. . . . NBC will broadcast the Masters Golf Tournament under an exclusive contract for five years. . . .A new dramatic series on the development of the short story will start on the NBC-Blue, Monday, July* 7, 8-8:30 *P.M. . . . The "Wheeling Steelmakers" will join the NBC-Blue on Oct.* 5. *Sponsored by Wheeling Steel Corp., the contract is for* 39 *weeks. . . . Procter & Gamble has extended its contract with CBS for the serial, "Woman in White," over* 51 *stations, for Oxydol. The program is heard Monday through Friday,* 1:15-1:30 *P.M.*

Court Dismisses All Causes in RCA Suit

N. Y. Supreme Court Justice Aaron J. Levy yesterday dismissed all causes of action of the consolidated stockholders' suit against RCA which referred to alleged misconduct of officers and directors prior to 1932. The court overruled contentions of the 11 stockholders that the company had concealed certain acts and settled previous stockholders' actions, thereby causing the six-year period in which suits can be brought to expire before the commencement of the action under consideration. Among the charges made in the suit was that RCA illegally granted a loan to RKO.

'U' Shifts Salesman

CINCINNATI, June 24. — Jerry Marks, Universal salesman in West Virginia, has been transferred to the Columbus, O., territory, to succeed Harry H. Young, recently appointed Universal manager here. Replacing Marks in West Virginia is Joel Golden, formerly local booker for Schine, whose successor has not been named.

Industry Personnel At Army Film Center

The United States Army Signal Corp's training film center at Fort Monmouth, N. J., is studded with industry men. From the Coast, and from the newsreel companies in New York and the field are cameramen, cutters, writers and production men, assigned to assist in the production of films for training the Army's personnel.

The technicians are in charge of Lieut. Col. M. E. Gillette. A new film production laboratory building recently has been completed at Fort Monmouth. The 9,000 square feet is divided into editorial cutting rooms.

Capital Variety Club Tournament Aug. 22

WASHINGTON, June 24. — Hardie Meakin, chief barker, today announced the Variety Club golf tournament will be held at Manor Country Club, August 22. Eddie Melniker is chairman, assisted by Carter Barron, A. E. Lichtman, Al Pratt, George Crouch, Fred Rohrs, John Allen, Leopold Freudberg and Albert Miller. Sam Galanty and Harry Brown are on the advisory committee.

AFRA-Mutual Talks In Chicago Today

CHICAGO, June 24.—Officials of the American Federation of Radio Artists, a representative of Station WKRC. Cincinnati, and Fred Weber, general manager of Mutual, will meet here tomorrow to seek a way out of the AFRA strike at the Cincinnati station which threatens to spread to the Mutual network.

Emily Holt, president, and George Heller, executive secretary of AFRA, will represent the union, while Hurlburt Taft, Jr., of the Cincinnati *Times-Star*, will act for WKRC. Mrs. Holt is coming here from Cincinnati, and Heller is due from New York.

The threatened action against Mutual stems from the strike which AFRA has called against WKRC after failure to reach an agreement on a working contract for actors, announcers and singers, in negotiation for many months. Reports late yesterday from Cincinnati indicated little hope of an early settlement.

AFRA Demands Mutual Cease Feeding WKRC

George Heller of the AFRA said in New York yesterday the union insists Mutual cease service of programs to the Cincinnati affiliate or face a walkout of artists over the full Mutual network. The strike against the network was to have been called yesterday, but was deferred when the Chicago conference was arranged for this morning.

Mutual officials explained that they were "in the middle" of the situation. They declared the network is anxious to cooperate with the union, but has contractual obligations to supply programs to the Cincinnati station.

Court Partly Voids Suit Against Chaplin

Three out of the five causes of action in the plagiarism suit of Konrad Bercovici against Charles Chaplin and United Artists were dismissed yesterday by Federal Judge Alfred C. Cox. The second and third causes were characterized as repetitious by the court, and the fifth cause, which asks for $5,000,000 damages, was dismissed because of failure of the complaint to allege that the defendants had plagiarized Bercovici's idea in "The Great Dictator." The rest of the complaint seeks more than $3,000,000 damages for payments allegedly due for services both in "The Great Dictator" and other films.

Robbins Wins Points In Casanave Action

Herman Robbins and National Screen Service scored two points yesterday in litigation with Charles A. Casanave. The Appellate Division of the N. Y. Supreme Court dismissed Casanave's motion seeking a judgment declaring valid his methods of obtaining money while an officer of National Screen Accessories, and in another decision reversed the order of Judge Patterson in Westchester County which consolidated Robbins' suit against Casanave and the latter's counter action. The Robbins' suit is now restored to New York County.

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'U' Prepares Biggest Films In Its History

Studio Is Now Running In High Gear

Hollywood, June 25.—Universal is entering the busiest period of production in the history of the company, with four large-scale productions ready to start next week.

Added to four major features already under way, plus Westerns, serials and short subjects, capacity operation at the studio is insured for months to come. All departments are working overtime, plant facilities are taxed to the utmost, and there are more wage earners on the payroll than ever before, the company indicates.

Nearly all the current season pictures have been completed and most of

(*Continued on page 7*)

Sidney Wilmer Dies Of Pneumonia at 64

Sidney Wilmer, 64, president of Wilmer & Vincent, Inc., operating theatres in Pennsylvania and Virginia, died yesterday at Mt. Sinai Hospital here of double pneumonia.

Services will be held at noon tomorrow at the Little Church Around the Corner. Cremation will follow at the Fresh Pond Crematory. The body is now at the Walter B. Cook funeral parlor, 117 W. 72nd St.

Wilmer and his associate, Walter Vincent, operated vaudeville theatres before the advent of talking pictures. They opened their first house in Utica in 1901. Additionally, Wilmer was an actor and writer of vaudeville skits. He was a member of the Lambs, the Actors Order of Friendship, Masons and the Players' Club.

He leaves a widow, Mrs. Zitelka Wilmer, and a sister, Mrs. Antoinette Wright.

Program Limit Bill Killed in Illinois

Springfield, Ill., June 25.—The Sandquist bill limiting film programs to 135 minutes unless there is an intermission of 15 minutes every hour, was killed in the Senate efficiency and economy committee today.

The measure, last of seven affecting the industry to be killed at this session of the Assembly, had previously been approved by the House.

Allied Calls Appeal Board Decision Blow to Decree

The National Arbitration Appeal Board, in its first and only decision to date, on the Ken Theatre, Chicago, case, "has driven a nail in the coffin" of the consent decree and left the "confidence of the exhibitors at low ebb," Allied States Association charges in an organizational bulletin sent to members yesterday.

The bulletin was sent from the Washington headquarters of Abram F. Myers, Allied general counsel and chairman of the board. It describes the effects of the decision as "knocking out arbitration in Chicago" and threatening "the usefulness of the decree in other territories."

"Given a literal interpretation," Allied asserts, "the ruling may preclude arbitrators in many situations from changing any clearance except that between the last circuit 'run' and the independent complainant."

Of the decision itself, the bulletin says: "The appeal board in language

(*Continued on page 6*)

Conn. Allied Names Decree Committee

New Haven, June 25.—Assertedly to protect exhibitors' rights under the decree, Allied of Connecticut has appointed a secret committee to report decree violations to the organization's attorney for investigation and action.

ITOA Again Seeks Agreement on Duals

The New York ITOA at a meeting yesterday at the Hotel Astor again challenged the major circuits in the New York metropolitan area to eliminate double bills and to effect a territorial policy of single features. "If the majors revert to singles, we will," was the essence of a statement issued by the ITOA. A committee is to be appointed to confer with first run circuit heads.

U.S. Plans $900,000 Production Fund for Films Aimed at S. A.

Washington, June 25.—Plans of the Coordinator of Commercial and Cultural Relations Between the American Republics for a $900,000 film project, including financial aid to U. S. producers on films suitable for Latin America, were disclosed today with submission to the House by the Appropriations Committee of the $900,000,000 second deficiency appropriation bill.

The measure also carries money for the film and radio activity of the Office of Production Management and the Office of Government Reports, and funds for the propaganda checkup of the FCC.

A provision is that not more than $1,600,000 shall be available for assistance in the fields of films, radio and other arts and sciences in the Nelson Rockefeller organization. At hearings

(*Continued on page 6*)

Film Men Ask U. S. For Argentine Relief

Washington, June 25.—Stressing films' importance in developing hemisphere solidarity in the face of foreign propaganda, industry representatives today urged the Committee for Reciprocity Information to seek tax and exchange relief in the proposed trade agreement with Argentina.

Carl E. Milliken, acting foreign manager of the MPPDA; Eugene Walsh of Universal and John Nathan, Paramount manager for Argentina, appeared before the committee.

Milliken told of the industry's role in building Pan-American unity and asked relief from conditions which tend to restrict distribution in the Argentine. Nathan described how Nazi films, including newsreels, are dumped in that market, and said that

(*Continued on page 6*)

IN this issue Motion Picture Daily presents an assembly of exhibitor acclaim to Mr. Nate J. Blumberg, president of Universal Pictures Company. Fitting indeed is this exhibitor acclaim to the head of "the exhibitor company"—revitalized Universal, headed by an exhibitor and conducted on policies sharply attuned to the exhibitor viewpoint.

Seek Increase In Remittances From Britain

Rose Reveals $30,000,000 Frozen in London

By SHERWIN A. KANE

American company representatives in London will urge that a substantial increase be made in the amount of British revenue which may be transmitted to the United States under the new monetary agreement for the year beginning next Nov. 1, David Rose, Paramount managing director for Great Britain, said yesterday on his arrival from Europe on the *Atlantic Clipper*.

Estimating that between $26,000,000 and $30,000,000 of American film companies' funds is now frozen in London, Rose said that American representatives there do not expect that existing barriers would be modified before Nov. 1.

It is for that reason, he intimated, that the American representatives in London plan to center their efforts for liberalization of the British currency

(*Continued on page 6*)

British Exhibitors Fight Warner Deal

London, June 25.—Exhibitor opposition to the reported Warner proposal to purchase control of the Associated British circuit of 400 houses from Mrs. John Maxwell, widow of the company's chief, has intensified.

Officers of the Cinematograph Exhibitors Association, on the plea of the London Branch, have approached the Board of Trade asking preventive action. The Leeds Branch also has asked action, claiming such a move

(*Continued on page 6*)

Horne Resigns from Disney Organization

Hal Horne, director of distribution and Eastern representative for Walt Disney Productions, who has resigned, effective July 15, said yesterday he is not at liberty to announce his new association at this time. Roy Disney, vice-president and general manager, expressed regret at Horne's resignation. No mention was made of a successor. Disney left for the Coast last night.

Coast Flashes

Hollywood, June 25

BARNEY BALABAN, Paramount president, leaves Friday for New York where on Monday he is expected to make an announcement of the company's first product under the new system of selling.

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RKO is reported discussing a production deal with Pare Lorentz.

•

M. J. Siegel, Republic studio head, left today for three weeks of conferences in New York with Herbert J. Yates and James R. Grainger.

•

Nate B. Spingold, Columbia executive, arrived today for production conferences. He will remain a week or more.

•

With the forthcoming release of four pictures, three of which are completed and one shooting, Monogram will have delivered its complete feature program for the present season, W. Ray Johnston, president, said today. Only two westerns, starring Tom Keene, remain to be made for the season, he said.

Pickwick Particulars Are Allowed in Part

New Haven, June 25.—A defense motion for a bill of particulars in the Pickwick Theatre anti-trust suit against the Skouras Theatres and major distributors was allowed in only minor respects by a Federal District court order issued here today.

The defense motion consisted of 28 main requests for particulars, some of which had as many as seven and eight subdivisions. The Federal court order allowed the requests only with respect to three subdivisions and denied with respect to all others.

Trade Contributed $53,310 to N. Y. Fund

The motion picture industry contributed a total of $53,310 to the Greater New York Fund to date, it was disclosed at the third report luncheon held at the Biltmore Hotel. The total to date in cash and pledges is $4,036,915.

J. Robert Rubin of Loew's is the chairman of the film division. The radio industry contributed $24,959.

Palmer Executive Of Projector Firm

Arthur J. Palmer, formerly with General Theatres Equipment and CineSimplex Corp., has been elected executive vice-president of International Projector Corp. He had been executives assistant to Earle G. Hines, president of GTE, for five years before going to CineSimplex.

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Personal Mention

MR. AND MRS. LOUIS SCHINE and family leave Sunday for Mexico. They will be gone about three weeks.

•

Henry Gordon, Paramount Central American manager, will sail for Panama tomorrow on the *Kungsholm* after a visit of several weeks here.

•

Mary Pickford is expected to leave the Cleveland Clinic on Saturday.

•

Ben Washer of Donahue & Coe has returned from the Coast.

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Jan Lindermann of the Lakemont Landing Theatre, Toledo, O., is recovering from injuries sustained in an automobile accident.

•

Kenneth Weldon of M-G-M's Des Moines office is vacationing in Chicago.

•

Harold Bortz, chief projectionist of the Cinema, Allentown, Pa., is recuperating from a recent illness.

•

Herbert Hillman of the College, New Haven, is vacationing.

ROBERT M. GILLHAM, Paramount advertising and publicity director, returned from the Coast yesterday.

•

Edward Cohen, 20th Century-Fox manager in Venezuela, leaves tomorrow for his post in Caracas after a visit here.

•

Peter Colli, Warner sales supervisor, will return to his headquarters in Havana this weekend.

•

Leon Netter, Paramount theatre executive, returns today from the South.

•

Samuel Rosen, Monogram branch manager in Philadelphia, is a member of the Camden, N. J., home defense police.

•

Ronnie Moray, manager of Warners' 333 Theatre, Philadelphia, will vacation in Chicago.

•

Donald Cameron, son of William Cameron of the Paramount Theatre, Toledo, O., was injured in an automobile accident recently.

•

A-Mike Vogel is in Boston.

Lichtman Donates Hospital Equipment

Washington, June 25.—A. E. Lichtman, circuit operator, and former chief barker of the local Variety Club, has donated to the Freedman Hospital, Federal-operated institution for Negroes, $5,000 worth of equipment for the care of premature infants.

Mexicans Strongly Against Nazi Films

Mexico City, June 25.—So strong has Mexican public opinion become against German films that the distributor of "Aurora or Submarine Warfare" (UFA) cannot find an exhibitor. This antipathy is strange, says the distributor, Pedro Calderon, as the picture was made a full year before the war and actually had the cooperation of the British Navy in its making. The film, he said, has little to do with submarine warfare but stresses the dangers of the seas and the heroism of naval and merchants mariners.

This was the first attempt to market a German picture in Mexico since the war began.

Cincinnati Frolic Monday

Cincinnati, June 25.—The Cincinnati Variety Club will hold its annual frolic next Monday at the Summit Hills Country Club. Mike Greenberg and Andrew Niedenthal are co-chairmen of the affair.

Republic Closes Schine

Republic has closed a new season product deal with the Schine Circuit, it was announced yesterday. The deal was set by James R. Grainger, president.

Diaz Revives Action On Warner 'Juarez'

Mexico City, June 25.—Porfirio Diaz, Jr., wealthy local civil engineer, son of the late President Diaz, has revived his action against Warners that he started in 1939 because of umbrage he took to "Juarez and Maximilian." Diaz contends that this picture disparages his late father, who ruled Mexico from 1880 to 1910 and was one of the strongest dictators the Americas ever had, and also mutilates Mexican history. He is asking the courts to compel Warners to alter "Juarez" the way he considers it should be changed.

Diaz has petitioned a local penal court to summon Joseph G. Mullen, Warner manager in Mexico, to undergo questioning regarding the picture and his complaints against it. The court has taken the petition under advisement.

Seattle's Censor Board Revamped

Seattle, June 25.—Complete reorganization of the Seattle Board of Theatre Censors has been effected by newly elected Mayor Earl Millikin. With the exception of Chairman Charles C. Crickmore, officer of the Stage Employes' Union and member of the former censor group, an entirely new board has been named.

Members are Harry Weingarten, adjutant of the American Legion; Dwight S. Hawley, secretary of the Ballard Commercial Club; C. H. Cassill, Jr., insurance broker; John S. Turner, produce executive; Mrs. May Carroll, Democratic party leader; Mrs. Mary M. Abernathy, business woman and precinct leader; Mrs. Vernon D. Nelson and Mrs. Francis Wenke, housewives.

7 of 244 $1-a-Year Men Have Film or Radio Connections

Washington, June 25.—Seven of the 244 "dollar-a-year" men now connected with the Office for Emergency Management have had motion picture or radio connections, it was disclosed today with the release of hearings before the House Appropriations Committee on the second deficiency appropriation bill.

The record showed that Nelson A. Rockefeller, director of the Office of Commercial and Cultural Relations Among the American Republics, has five of the seven: John Hay Whitney, head of the motion picture division, and Francis Alstock, of the Whitney office; Merlin H. Aylesworth, consultant; Aaron Copland, adviser, music composer for Hal Roach and Principal Productions, and Julian Street, Jr., consultant on communications, radio script writer.

In the Office of Price Administration and Civilian Supply, Floyd B. Odlum, president of Atlas Corp., is serving as a consultant, and in the Office of Production Management's purchase division Hiram S. Brown, former president of RKO, is assistant director in the contract clearance branch.

Monogram Closes 2 Southern Deals

Samuel Broidy, general sales manager for Monogram, who is here after a Southern trip, and John W. Mangham, president of Monogram Southern Exchanges, have closed deals with the Wometco Circuit, Miami, and the Martin Circuit, Columbus, Ga. Both deals cover Monogram's 1941-'42 product.

'Life With Father' At 15c Admission

"Life With Father" has been selected as the first show to be given next Fall in the low-cost matinee program for school children. The play, at the Empire Theatre, will be attended by 1,088 students at 15 cents admission.

MOTION PICTURE
DAILY
(*Registered U. S. Patent Office*)

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Philadelphia Grosses Up; 'Navy' Strong

PHILADELPHIA, June 25.—Downtown theatres enjoyed one of their best recent weeks, aided by cool and rainy weather. The Stanley, with Bud Abbott and Lou Costello making a personal appearance, took $21,000 for "In the Navy." The Earle, with Bob Crosby's band on the stage and "Million Dollar Baby" on the screen, hit $22,500.

Estimated receipts for the week ended June 18-20:

"Love Crazy" (M-G-M)
ARCADIA—(600) (35c-46c-57c) 7 days, 2nd run. Gross: $3,600. (Average, $2,600)

"A Woman's Face" (M-G-M)
BOYD—(2,400) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $11,200. (Average, $13,000)

"Million Dollar Baby" (W. B.)
EARLE—(4,000) (35c-41c-46c-57c-68c) 7 days. Vaudeville including Bob Crosby's orchestra, The Pitchmen, The Del Rios, Moke & Poke, and Liz Titon. Gross: $22,500. (Average, $14,000)

"Blood and Sand" (20th-Fox)
FOX—(3,000) (35c-41c-46c-57c-68c) 7 days, 2nd week. Gross: $11,400. (Average, $13,000)

"Penny Serenade" (Col.)
KARLTON—(1,000) (35c-41c-46c-57c-68c) 7 days, 2nd run. Gross: $4,800. (Average, $3,000)

"I Wanted Wings" (Para.)
KEITH'S—(2,200) (35c-41c-46c-57c-68c) 6 days, 2nd run, 2nd week. Gross: $2,500. (Average, $4,500)

"In the Navy" (Univ.)
STANLEY—(3,700) (35c-41c-46c-57c-68c) 7 days. Gross: $21,000. ($14,000)

"The People vs. Dr. Kildare" (M-G-M)
STANTON—(1,700) (35c-46c-57c) 7 days. Gross: $4,000. (Average, $4,500)

'Billy the Kid' Gets $14,500, Baltimore

BALTIMORE, June 25.—"Billy the Kid" took $14,500 at the Century. "In the Navy," had $11,500 in the second week at Keith's.

Estimated receipts for the week ending June 19:

"Billy the Kid" (M-G-M)
CENTURY—(3,000) (28c-44c) 7 days. Gross: $14,500. (Average, $10,000)

"In the Navy" (Univ.)
KEITH'S—(2,406) (15c-28c-33c-44c) 7 days, 2nd week. Gross: $11,500. (Average, $9,000)

"Blood and Sand" (20th-Fox)
NEW—(1,581) (15c-28c-35c-55c) 7 days, 2nd week. Gross: $6,000. (Average, $7,000)

"Affectionately Yours" (W. B.)
HIPPODROME—(2,205) (15c-28c-44c-55c-66c) 7 days. Stage show featuring Ina Ray Hutton and her Playboy Orchestra; Gross: $13,000. (Average, $14,000)

"Millionaire Baby" (W. B.)
STANLEY—(3,280) (15c-28c-39c-44c-55c) 7 days. Gross: $10,000. (Average, $14,000)

'Blood and Sand' Is Indianapolis' Lead

INDIANAPOLIS, June 25.—"Blood and Sand" on a dual with "For Beauty's Sake" took $8,000 at the Circle, while Ted Lewis and his band and show on the Lyric stage, plus "Angels With Broken Wings," did $11,000. The weather was warm.

Estimated receipts for the week ending June 20:

"Blood and Sand" (20th-Fox)
"For Beauty's Sake" (20th-Fox)
CIRCLE—(2,800) (28c-33c-44c) 7 days. Gross: $8,000. (Average, $6,000)

"Love Crazy" (M-G-M)
"Free and Easy" (M-G-M)
LOEW'S—(2,800) (28c-33c-44c) 7 days, 2nd week. Gross: $5,500. (Average, $7,000)

"Angels With Broken Wings" (Rep.)
LYRIC—(2,000) (30c-40c-50c) 7 days. Stage, Ted Lewis, band and show. Gross: $11,000. (Average, $8,000)

Feature Review

"Puddin' Head"

(Republic)

CONCOCTED of the sort of earthy entertainment ingredients which should prove popular with the general run of film audiences, "Puddin' Head" is the story of a yokel girl who inherits a valuable piece of real estate in New York, and makes good by developing suddenly into a radio sensation.

Judy Canova, a comedienne of novel but unmistakable talent, has the lead and is supported by Francis Lederer, Raymond Walburn, Eddie Foy, Jr., Slim Summerville and others.

Miss Canova is the whole show and for her many admirers the film should be most entertaining. She renders ruggedly various tunes, including the title number, "Hey Junior," and "You're Telling I," and most of the time is by far the most prominent character on the screen. There are, however, a few other efforts in comedy by Walburn and Foy.

The yarn opens in a small town where Summerville and his niece, Miss Canova, receive the news of the inheritance. The scene shifts to New York and from there on it's an entertaining story about the naive country girl who invades the big town and makes good.

Running time, 80 minutes. "G."

** "G" denotes general classification*

'Woman's Face' at $9,500, New Haven

NEW HAVEN, June 25.—"A Woman's Face," dualed with "Broadway Limited," at the Loew-Poli, grossed more than the remaining three downtowns together, taking $9,500. A rainy Friday and Saturday helped.

Estimated receipts for the week ending June 19:

"Love Crazy" (M-G-M)
"I'll Wait for You" (M-G-M)
COLLEGE—(1,499) (39c-50c) 7 days, 2nd week. Gross: $2,700. (Average, $2,700)

"A Woman's Face" (M-G-M)
"Broadway Limited" (U. A.)
LOEW-POLI—(3,040) (39c-50c) 7 days. Gross: $9,500. (Average, $8,000)

"One Night in Lisbon" (Para.)
"Ride On, Vaquero" (20th-Fox)
PARAMOUNT—(2,348) (39c-50c) 7 days. Gross: $3,500. (Average, $4,500)

"Sunny" (RKO)
"Knockout" (W. B.)
ROGER SHERMAN—(2,200) (39c-50c) 7 days. Gross: $2,700. (Average, $5,000)

Plan Latin America Film Workers' Unit

MEXICO CITY, June 25.—Organization of a Federation of Latin American Cinematographic Workers is one of the principal objectives of the national convention the Mexican picture workers syndicate is arranging for October in Torreon, Coahuila State, Mexico's chief cotton center. The syndicate chief asserts that the Mexican picture workers have so strongly cemented their relations with their colleagues throughout Latin America that constitution of the Federation will be easy.

Delegates from all Latin American countries are expected to attend the meet which will last about a week and have high Mexican Government and labor officials sitting in.

Kleinerman Settles Suit

The suit of Guaranteed Pictures against Screen Attractions and Morris Kleinerman charging unauthorized exhibition of 10 action features in the New York area was settled by a stipulation filed yesterday in N. Y. Supreme Court.

FCC Names Cottone

WASHINGTON, June 25.—Benedict P. Cottone, former chief of the litigation section, today was appointed assistant general counsel of the FCC, succeeding James A. Kennedy.

Murray on U. S. Hour

William Murray of the William Morris Agency has been named associate director of the Treasury Hour broadcasts over CBS, starting July 2. Murray will be consultant on talent and material.

Ease Clothes Rationing

LONDON, June 25.—The Board of Trade has made concessions on stage costumes under the recently instituted clothing rationing system which are believed applicable to films.

'Woman' Gets Good $8,600 Seattle Gross

SEATTLE, June 25.—"A Woman's Face" at the Fifth Avenue took a strong $8,600. "Two Black Crows" on the Palomar stage plus "The Lady from Louisiana" and "Angels With Broken Wings" at slightly advanced prices, drew $6,500 at the Palomar.

Estimated receipts for the week ending June 20:

"Trail of the Lonesome Pine" (Para.)
"The Cat and the Canary" (Para.)
BLUE MOUSE—(950) (20c-30c) 7 days. Reissue dual program at reduced prices. Gross: $2,900. (Average, $4,000)

"A Woman's Face" (M-G-M)
"I'll Wait for You" (RKO)
FIFTH AVENUE—(2,500) (30c-40c-50c-65c) 7 days. Gross: $8,600. (Average, $7,000)

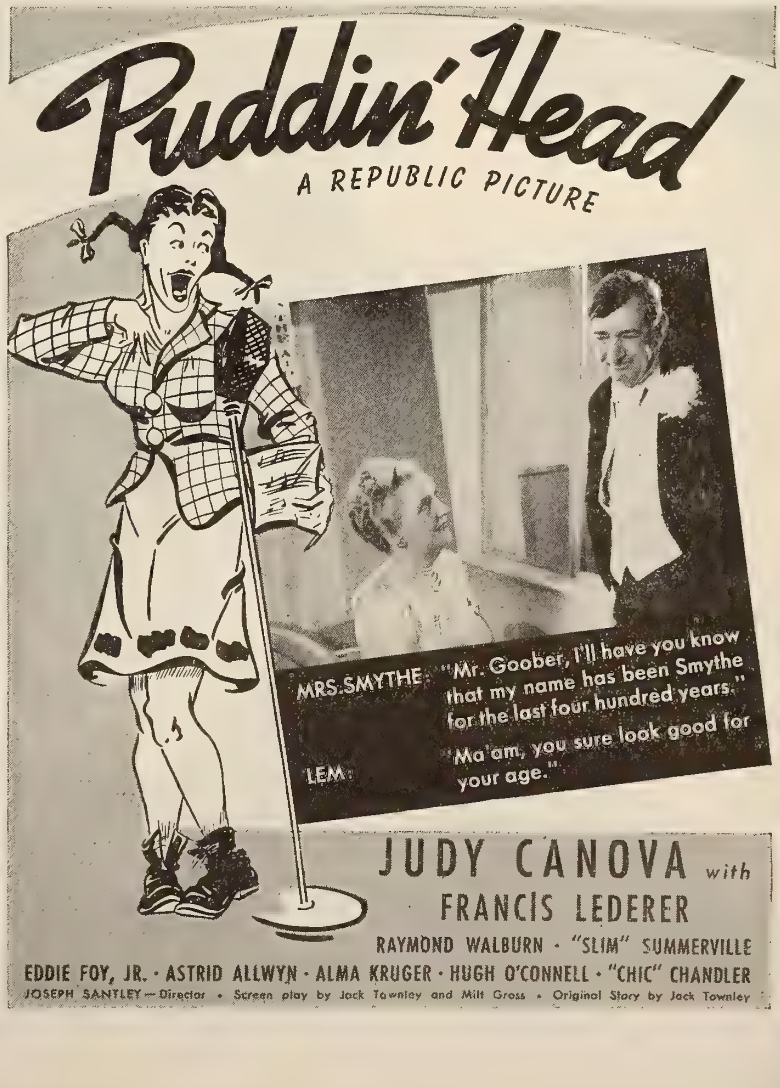
"That Hamilton Woman" (U. A.)
"The Big Boss" (Col.)
LIBERTY—(1,800) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $4,300. (Average, $5,000)

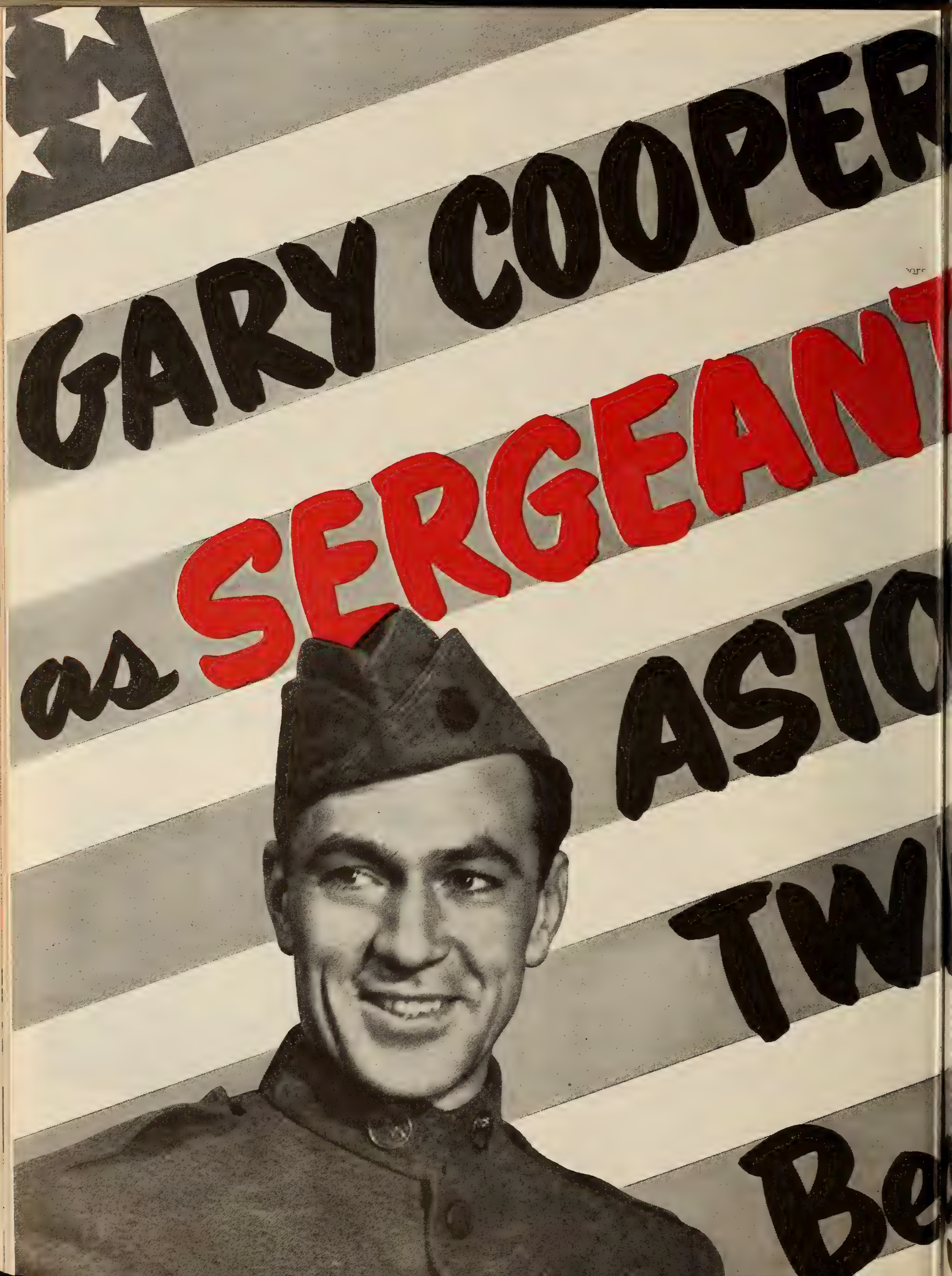
"Love Crazy" (M-G-M)
"The Cowboy and the Blonde" (20th-Fox)
MUSIC BOX—(950) (30c-40c-50c-65c) 7 days, 3rd week. Gross: $3,000. (Average, $4,000)

"Affectionately Yours" (W. B.)
"Repent at Leisure" (RKO)
ORPHEUM—(2,450) (30c-40c-50c) 7 days. Gross: $4,600. (Average, $6,000)

"Lady from Louisiana" (Rep.)
"Angels With Broken Wings" (Rep.)
PALOMAR—(1,500) (20c-30c-40c) 7 days. Stage: "Two Black Crows" and vaudeville. Gross: $6,500. (Average, $5,000)

"Blood and Sand" (20th-Fox)
"Power Dive" (Para.)
PARAMOUNT—(3,050) (30c-40c-50c) 5 days, 2nd week. Gross: $4,000. (Average, $6,000)


Puddin' Head
A REPUBLIC PICTURE
MRS. SMYTHE: "Mr. Goober, I'll have you know that my name has been Smythe for the last four hundred years."
LEM: "Ma'am, you sure look good for your age."
JUDY CANOVA with
FRANCIS LEDERER
RAYMOND WALBURN · "SLIM" SUMMERVILLE
EDDIE FOY, JR. · ASTRID ALLWYN · ALMA KRUGER · HUGH O'CONNELL · "CHIC" CHANDLER
JOSEPH SANTLEY—Director · Screen play by Jack Townley and Milt Gross · Original Story by Jack Townley


GARY COOPER
as SERGEANT
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YORK

R THEATRE

CE DAILY

ginning JULY 2

GARY COOPER
in
"SERGEANT YORK"
with
WALTER BRENNAN • JOAN LESLIE
GEORGE TOBIAS • STANLEY RIDGES
A HOWARD HAWKS PRODUCTION
Original Screen Play by Abem Finkel & Harry Chandlee and Howard Koch & John Huston
Based Upon the Diary of Sergeant York
Produced by JESSE L. LASKY and HAL B. WALLIS
Music by Max Steiner • Presented by
WARNER BROS.

The first of a limited series of reserved seat, extended run engagements scheduled for the nation's finest roadshow houses

Seek Increase In Remittances From Britain

(*Continued from page* 1)

restrictions on the negotiations of a new monetary agreement. Those negotiations are scheduled to begin in the near future, Rose said.

Rose characterized the currency problem as one of the most important confronting the industry abroad, and pointed out that the American representatives feel that liberalization of the remittance strictures now in effect would mean a great deal to the American companies, and could be more easily afforded by Britain now that the effects on her dollar position of the $7,000,000,000 lease-lend bill becomes more apparent.

$12,900,000 Remitted

This will be the burden of the American representations in the coming negotiations, it was intimated, although Rose said, insofar as he knew, definite details have not been developed yet.

The American companies were permitted to withdraw $17,500,000 in 1939, which was estimated to be 50 per cent of their three-year average annual British revenue. For the current year ending Nov. 1, they were authorized to withdraw only $12,900,000, or 37½ per cent of their annual average. The entire authorized amount for the current year already has been remitted to the United States.

Rose reported that the dearth of talent in Britain is the greatest single obstacle to continued production there. He said that Paramount now has Dr. A. J. Cronin's "Hatter's Castle" in production, with Robert Newton, Emlyn Williams, Deborah Kerr and James Mason in the cast, and hopes to make "The Admirable Crichton" and one other feature next season.

Three Studios Operating

Three studios are in operation, he said, Denham, Ealing and Shepherd's Bush. Rose said the quota laws are still in effect but that the cooperation of the British authorities is expected in the event production becomes too difficult.

He reported theatre business in Britain continues excellent, with only 10 per cent of the 5,000 theatres out of operation. With daylight saving in effect, theatres now are open to 10:30 P.M., he reported.

Rose left for the Coast by plane last night to join Paramount executives in production conferences. He plans to return to New York in about three weeks.

Curfew Again

Eddystone, Pa., June 25

CURFEW will ring each night for all youngsters under 16 in this community near Philadelphia. The Borough Council approved an ordinance to keep everyone under that age off the streets after 9 P.M., D.S.T. Police, starting this week, are picking up youths found wandering the streets after an 8:45 fire whistle warning.

U.S. Plans $900,000 Production Fund for Films Aimed at S. A.

(*Continued from page* 1)

Rockefeller said he sought $600,000 for films and an additional authorization of $300,000 for contracts.

It would include non-theatrical films for exhibition abroad at a cost of $125,000; production of non-theatricals, $50,000; production of films featuring other American republics, $120,000; assistance in making of films, including Disney Productions, which is negotiating to make 12 shorts on Latin America, $250,000, and assistance to the industry in producing more films suitable for South America, under contract with the Motion Picture Society for the Americas, $45,000.

In addition, the Rockefeller office has a radio program calling for $700,000 and contract authority for $350,000, which involves the expenditure of $300,000 in the preparation of programs by broadcasting stations and the purchase of time; and $125,000 for broadcasting of special programs in the other American countries by long wave, $100,000 for similar broadcasts here of programs from the Latin-American republics and $100,000 for recorded programs, special broadcasts, and the like, through contracts with NBC and CBS.

Film Men Ask U. S. For Argentine Relief

(*Continued from page* 1)

American films are at a disadvantage because the 10 or 12 prints sent there must pay duty before reaching the censor and if they are rejected there is no refund.

Nathan also told how the five per cent tax on the 65 per cent which represents the distributor's share was increased from half to all of the receipts, and later was compromised on the basis of actual profit, to which the companies agreed on condition that the excess payments previously made be refunded. A suit for recovery has been won in the lower courts, he said, but the industry is anxious to have the controvery settled by treaty.

Argentina considers motion pictures a luxury business, Walsh said, and on that ground placed a 20 per cent surtax on the duty, which was later reduced to 10 per cent, and the same policy is apparent in exchange restrictions, which, he charged, discriminate against the American industry.

CBC Independence To Be Safeguarded

OTTAWA, June 25.—War Services Minister Thorson has stated that in organizing the various agencies of his department it is planned to safeguard the independent character of CBC.

"The department regards CBC as a great national instrument. It is hoped it will be a great ally in work of bringing home to the Canadian people the grimness of our situation and the need for concerted and united action," Thorson said.

FCC Questionnaire Probes War Talks

Washington, June 25.—The FCC today asked all radio networks and stations to advise concerning their handling of war news. The FCC announced questionnaires have been sent out, in compliance with Chairman James L. Fly's promise to the Senate Interstate Commerce Committee that it would be determined whether air discussions of this country's role in the war have been "well-rounded rather than one-sided."

British Exhibitors Fight Warner Deal

(*Continued from page* 1)

would be detrimental to the British industry.

Discussion is expected at the July meeting of the CEA general council. Apparently inspired statements in financial circles here indicate Warners are seeking only half the Maxwell holdings, with Mrs. Maxwell retaining the other half, and with Warners naming the management through board representation. It is thought possible in some quarters that Warners might purchase half the Maxwell shares now, with an option on the remainder.

It is believed in authoritative City circles that the five-year option Maxwell held to purchase a majority of the "A" shares of Gaumont British, held by Metropolis & Bradford Trust, which expires this year, is now worthless to Associated British.

Max Milder, managing director for Warners in England, who had been negotiating with Mrs. Maxwell for the Associated British circuit control, arrived by Clipper yesterday from London.

It is understood he will confer with Harry M. Warner, president, on the Maxwell deal, but he could not be reached for comment yesterday. Warners are believed planning a biographical film on Winston Churchill, which may be produced at the Warner English studio at Teddington.

Mutual-AFRA Talk Off Until Tomorrow

CHICAGO, June 25.—The meeting between representatives of Mutual; WKRC, Cincinnati, and the American Federation of Radio Artists, scheduled here today in an attempt to forestall an AFRA strike against Mutual on programs piped to the Cincinnati station, was postponed until Friday.

The threatened strike, for which the AFRA board yesterday set a deadline of July 7, if the AFRA strike against WKRC is not settled by then, is an outgrowth of the Cincinnati fight, resulting from a failure to reach a working agreement. Emily Holt, AFRA head now in Cincinnati, has asked the National Labor Relations Board to dissolve the newly formed Radio Artists Association at WKRC, which she called a company-dominated union.

Decision of Appeal Board Called Blow To Decree by Allied

(*Continued from page* 1)

even more technical than that contained in the decree itself, has sustained the technical point" that the Ken was not asking for a reduction of clearance but for an improved run. The board held that in Chicago each weekly release is a separate and distinct run and that these runs cannot be changed or affected under Section Eight of the decree.

Charges Clearance 'Frozen'

"The effect of the decision is to emasculate Section Eight so far as Chicago is concerned. Under the ruling it is impossible for an arbitrator in Chicago to fix maximum clearance without changing a run, which he is forbidden to do. Therefore, the appeal board has frozen the existing clearance and zoning schedule in Chicago.

"The only way in which a Chicago exhibitor can seek relief is under Section 10, the effective date of which is clouded in darkness and under the arbitrary provisions of which only a few exhibitors can qualify."

Under the heading, "Off to a Bad Start," the bulletin asserts that "The board is an arm of the court to give effect to the decree. The decree does not take account of local peculiarities in all sections of the country. It might reasonably be expected that the board would look through the form to the substance and give effect to the purpose of the decree.

Sees Failure in Ruling

"If conditions, (such as that of the Ken) cannot be remedied under the decree, then it will be a total failure. Yet under a literal interpretation of the board's ruling, an arbitrator could only function with respect to the 14 days between the last circuit 'run' and the exhibitor.

"The appeal board has driven a nail in the coffin which the distributors are making for the final interment of a noble experiment. The way is still open to salvage some of the loss but the confidence of the exhibitors is at a low ebb," the bulletin concludes.

At the recent convention of Allied of New Jersey and Allied Eastern Regional Conference at Atlantic City, Myers paid tribute to the capabilities and high standards of the three appeal board members. The Ken decision was handed down the day after Myers addressed the Atlantic City meeting.

Lea Hearing Is Postponed to July 7

WASHINGTON, June 25.—The Lea arbitration complaints, which are similar to that filed by the Ken Theatre, Chicago, and dismissed recently by the national appeal board, were postponed from June 30 to July 7 at the local arbitration board today.

Abram F. Myers, Allied States chairman and general counsel, is counsel for the plaintiff, L. W. Lea, operator of two theatres in Danville, Va. Justice Bolitha J. Laws is arbitrator for the case.

Exhibitors in Testimonial to Nate Blumberg

50% Gain for 'U' Business Is Achieved

A 50 per cent increase in domestic film sales and the maintenance of a healthy, steady income from foreign markets despite the unprecedented handicaps resulting from a war-torn world, has been achieved by Universal during the past three years under the direction of W. A. Scully, vice-president and general sales manager, and Joseph H. Seidelman, vice-president and foreign manager, and their staffs.

Universal's film sales revenue for 1937, the year prior to the advent of Scully and Seidelman as part of the new Nate J. Blumberg administration, is estimated at approximately $18,000,000. For the 1940-'41 season just ending, film income, it is estimated, will be in excess of $27,000,000.

Improved product in the three-year period has supplied the sales organization with the incentive to do its best. The result speaks for itself.

Aides to Scully

Aiding Scully at the executive sales end are William J. Heineman, assistant general sales manager; Fred Meyers, Eastern sales manager; F. J. A. McCarthy, Southern and Canadian sales manager, and E. T. Gomersall, Western sales manager.

C. V. Kirby is Seidelman's home office assistant on foreign sales. The company, despite the war, has consistently topped the sales record of each previous year for the past three years in the markets still open to it. An all-time record was established for Universal in Great Britain last year, by far the most important of the industry's foreign markets. Only the exigencies of war have made it impossible for the company to duplicate this result in other leading foreign markets.

Toast 'Privates' on 11 Weeks in Toronto

William A. Scully, general sales manager of Universal, will toast over long distance telephone today the 11-week run of the company's film, "Buck Privates," at Shea's Theatre in Toronto. Scully will speak with Clair Hague, executive of Empire-Universal Films, which distributes for Universal in Canada, at Hague's headquarters in Toronto. The film was originally scheduled to end its run several weeks ago, but public response caused it to be held for 11 weeks.

NATE J. BLUMBERG

Universal Is Preparing Biggest Films in History

(*Continued from page* 1)

those unreleased are in the final stages of editing. In addition, a substantial portion of the 1941-'42 product has been filmed already. "In fact," Nate Blumberg, president, said, "by Sept. 1, we will have a total of 32 features, or approximately half of next year's program, ready for delivery or in the cutting rooms."

New Abbott-Costello Film

Prepared to start next Monday is the new Abbott and Costello production, "Ride 'em Cowboy," with Robert Paige and Anne Gwynne in the romantic leads, and the Merry Macs in featured support. Also ready for the starting signal are "Hellzapoppin," Jules Levey's film version of the Broadway musical hit, starring Olsen & Johnson, and Universal's new super-Western, "Badlands of Dakota," with Miriam Hopkins, Brod Crawford, Leo Carrillo, Andy Devine and Fuzzy Knight. Robert Stack and Jane Frazee will supply the romantic interest in "Hellzapoppin."

Set also for immediate production is "Appointment for Love," co-starring Charles Boyer and Margaret Sullavan. Bruce Manning, who produced "Back Street," will produce, and William Seiter will direct. The new W. C. Fields starring comedy, "Never Give a Sucker An Even Break," with Baby Sandy and Butch & Buddy, will be started July 7. Edward Cline, who directed Fields in his previous Universal films, will direct the new vehicle.

Two Now Shooting

Still shooting are "This Woman Is Mine," Frank Lloyd adventure film with Franchot Tone, John Carroll, Walter Brennan and Carol Bruce, and "Almost An Angel," starring Deanna Durbin and Charles Laughton, with Robert Cummings in the romantic lead.

Nearing completion are "Bombay Clipper," with William Gargan and Irene Hervey; the first of the Dick Foran - Leo Carrillo - Andy Devine series, and "Arizona Cyclone," starring Johnny Mack Brown, with Fuzzy Knight, Nell O'Day and Beatrice Roberts.

In the cutting rooms are 19 features, including a dozen pictures scheduled for release during the first half of the new 1941-'42 season.

All scheduled releases for the balance of the current season are ready for delivery, or in the final phases of editing, except "This Woman Is Mine," which is nearing completion.

July, August Releases

In this category, and slated for exhibition during July and August, are: "Bachelor Daddy," starring Baby Sandy, with Edward Everett Horton, Donald Woods and Raymond Walburn; "Hello, Sucker," starring Hugh Herbert, with Tom Brown, Peggy Moran, Walter Catlett and Lewis Howard; "Raiders of the Desert," starring Johnny Mack Brown, with Fuzzy Knight, Nell O'Day and Kathryn Adams; "Cracked Nuts," with Stuart Erwin, Una Merkel and Mischa Auer; "Hold That Ghost," starring Abbott & Costello; "This Woman Is Mine," with Franchot Tone and Carol Bruce, and "A Dangerous Game," co-starring Richard Arlen and Andy Devine.

McCarthy in Canada

Frank J. A. McCarthy, Southern and Canadian division sales manager for Universal, is on a Canadian tour during which he is visiting branch offices and contacting leading exhibitors. He is expected to return in about two weeks.

Exhibitor View Key to 'U' Rise WithBlumberg

By SAM SHAIN

The wholly natural exhibitor belief that a successful film company is one which is conducted either by exhibitors or with the exhibitors' viewpoint uppermost in mind has been given added weight by the Horatio Alger-like rise of Universal during its last three and one-half years under the leadership of Exhibitor Nate J. Blumberg and his executive associates, so many of whom are themselves exhibitors.

The formula was proved sound by Loew's-M-G-M in its uninterrupted success under the late Marcus Loew, and since, under Exhibitors Nicholas M. Schenck and Louis B. Mayer. It has been proved at Paramount under the guidance of Exhibitors Barney Balaban and Y. Frank Freeman, at Warners under the Brothers Warner, and now by Universal.

There was little about the post of president of Universal to make it attractive to Blumberg when it was proffered him in 1937 by J. Cheever Cowdin, chairman of the board, and Charles D. Prutzman, counsel, other than the challenge and the opportunity it provided Blumberg to test his natural belief that "an exhibitor can do it better."

Observed RKO Reorganization

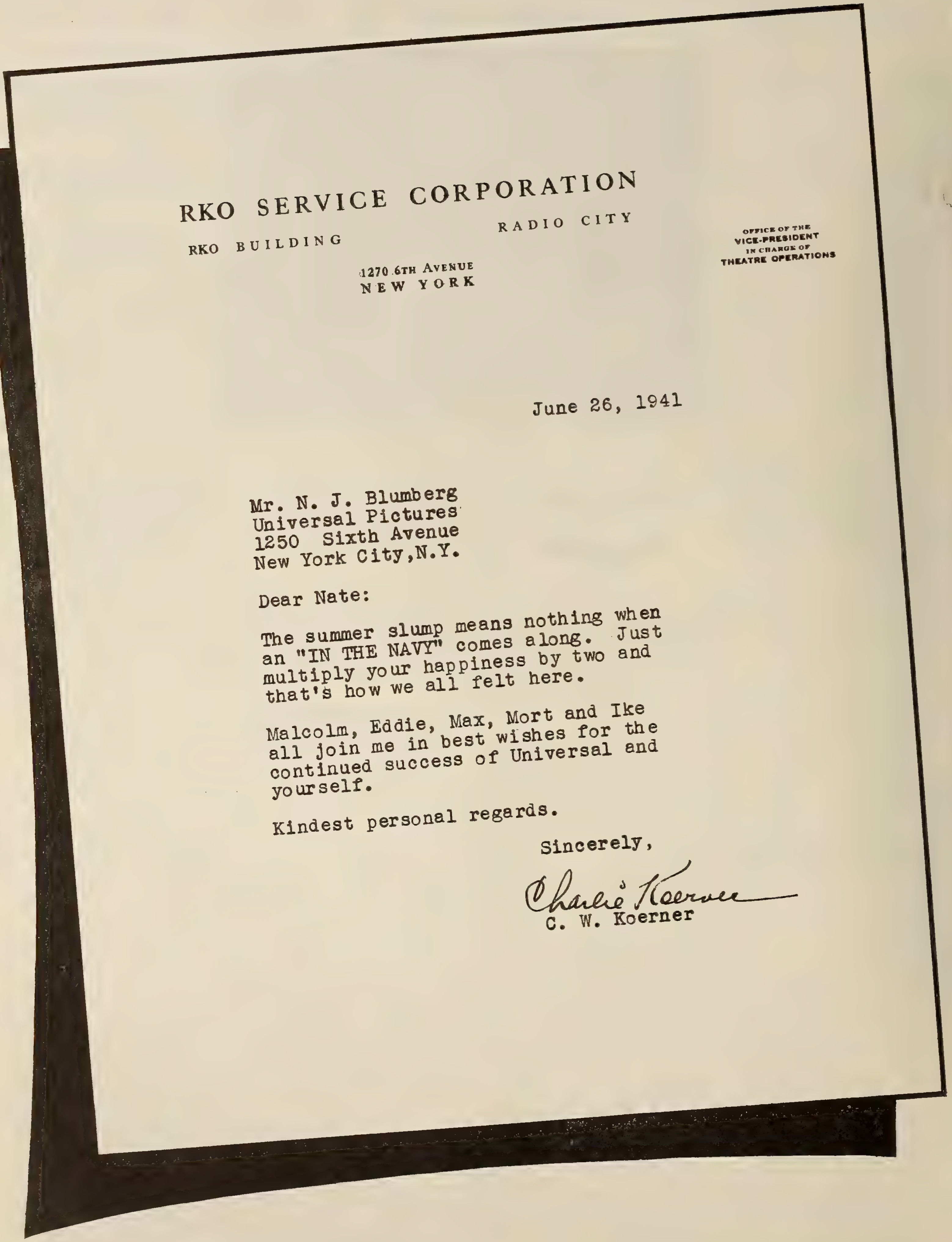
Blumberg, as generalissimo of RKO Theatres at the time, had had a first hand view of the agonizing process of corporate reorganization, which RKO had been undergoing for four years up to 1937. He was not unaware that Universal, which had reported losses of from $800,000 to $1,300,000 annually for the preceding seven years, was in the shadow of that same menace at the time he was asked to take over.

Confidence in his belief of the exhibitor viewpoint, probably much more than any other factor, resulted in his decision to take over Universal leadership at what was probably the darkest moment in its historic industry career.

Among his first acts was the bolstering of his executive staff with exhibitors. Cliff Work, former Pacific Coast RKO Theatre head, was placed in charge of the studio; Matthew J. Fox of Skouras Theatres was made vice-president and Blumberg's executive assistant, and John Joseph of RKO's Chicago Theatres department was appointed director of advertising and publicity.

In 1938, Blumberg's first year in office, Universal effected a reduction of its annual net loss from operations amounting to $500,000. The next year, 1939, it reported net profit of approximately $1,250,000, its first profit-

(*Continued on page* 18)



RKO SERVICE CORPORATION

RKO BUILDING
RADIO CITY

1270 6TH AVENUE
NEW YORK

OFFICE OF THE
VICE-PRESIDENT
IN CHARGE OF
THEATRE OPERATIONS

June 26, 1941

Mr. N. J. Blumberg
Universal Pictures
1250 Sixth Avenue
New York City, N.Y.

Dear Nate:

The summer slump means nothing when an "IN THE NAVY" comes along. Just multiply your happiness by two and that's how we all felt here.

Malcolm, Eddie, Max, Mort and Ike all join me in best wishes for the continued success of Universal and yourself.

Kindest personal regards.

Sincerely,

Charlie Koerner
C. W. Koerner

MEMO TO NATE BLUMBERG:

Loew's Criterion is holding "In The Navy" for third week.

And we're clearing the decks for big business when it opens soon on the Loew New York circuit.

Congratulations.

LOEW'S THEATRES

TO YOU, NATE!

SINCEREST BEST WISHES FROM EVERY MAN IN OUR ORGANIZATION. IT IS OUR FERVENT HOPE THAT YOU CONTINUE IN GOOD HEALTH TO GUIDE THE DESTINIES OF UNIVERSAL TO EVEN GREATER HEIGHTS.

M & P THEATRES CORPORATION

Harry Mullin
Sam Pinanski

BUD
LOU
ABBOTT and COSTELLO
DICK POWELL
IN THE NAVY
with
The ANDREWS SISTERS
Claire Dodd
Dick Foran
Butch and Buddy
Condos Brothers

CONGRATULATIONS

AND

BEST WISHES

TO

NATE BLUMBERG

NATIONAL THEATRES

Spyros P. Skouras

FOX WEST COAST THEATRES

LOS ANGELES, CALIFORNIA

Charles P. Skouras

FOX WEST COAST THEATRES OF NORTHERN CALIFORNIA

SAN FRANCISCO, CALIFORNIA

Arch M. Bowles

FOX INTER-MOUNTAIN THEATRES

DENVER, COLORADO

Rick Ricketson

FOX MIDWEST THEATRES

KANSAS CITY, MO.

Elmer Rhoden

WISCONSIN AMUSEMENT ENTERPRISES

MILWAUKEE, WISC.

H. J. Fitzgerald

EVERGREEN STATE AMUSEMENT ENTERPRISES

SEATTLE, WASHINGTON AND PORTLAND, OREGON

Frank L. Newman

Our appreciation to

NATE BLUMBERG

and Universal Pictures
for releasing a great
box office picture,
"IN THE NAVY,"
during the summer
when box office
pictures are scarce.

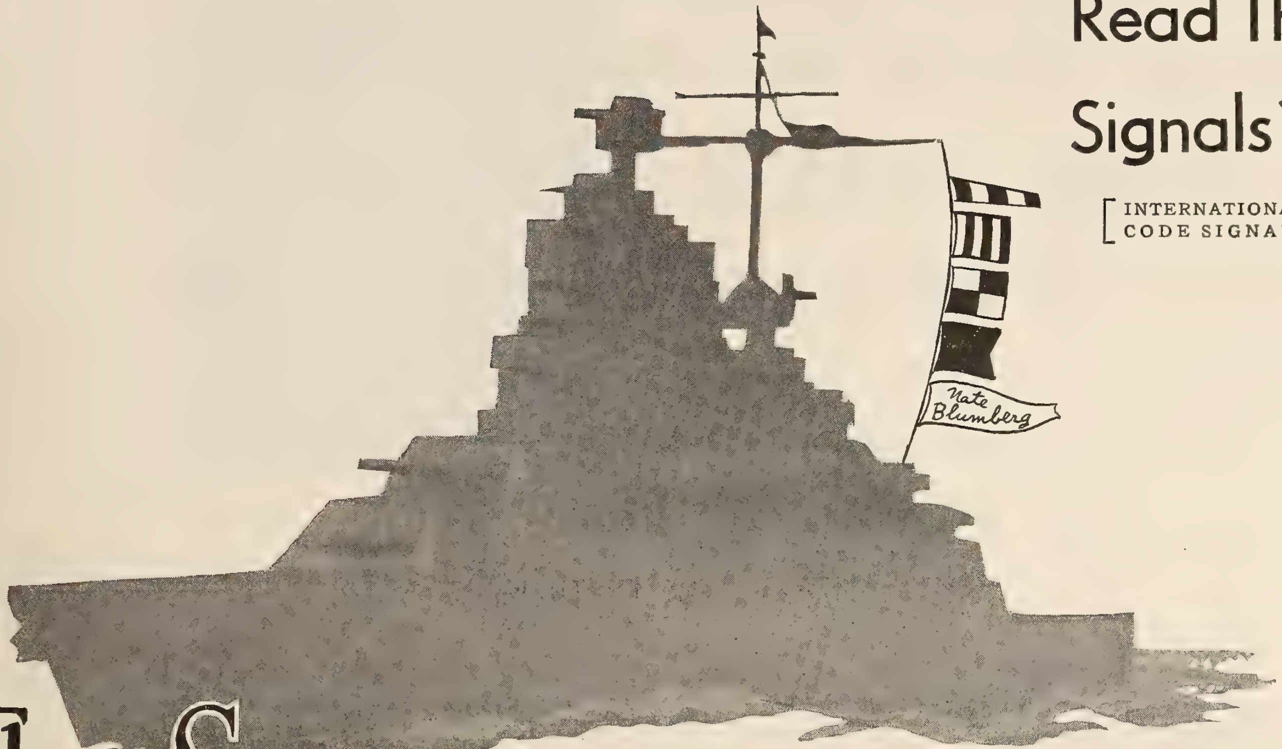
Joe Blumenfeld

BLUMENFELD THEATRES

SAN FRANCISCO

Can You Read These Signals?

[INTERNATIONAL CODE SIGNALS]



They Say:

Greetings, Nate Blumberg, and thanks for doing so much to bring the people back to the theatre . . . they will never desert the movies if we can have pictures like "In The Navy" all the time!

GEORGE SKOURAS *for* SKOURAS THEATRES

NATE BLUMBERG

—A swell fellow doing a swell job!

IN THE NAVY

—A swell fellow's handiwork!

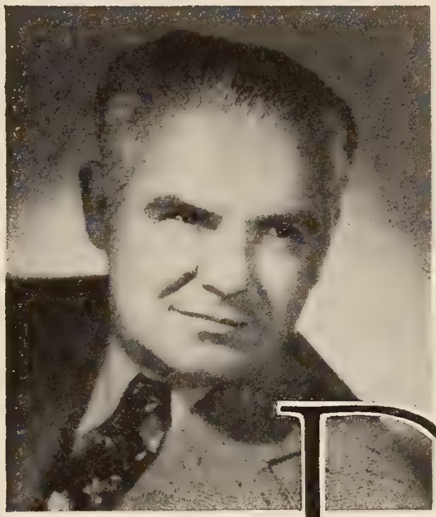
We join the industry in attesting our gratitude for your exhibitor-mindedness!

IKE LIBSON RKO MIDWEST THEATRES

IN THE NAVY

Congratulations to Nate Blumberg on his wonderful achievements for Universal Pictures.

FABIAN THEATRE CORP.



Dear Nate:

Congratulations to a good exhibitor for turning loose at such times as these, pictures like "In The Navy", to delight the heart and the box office of all other exhibitors and their patrons. Nobody may know what the people want, but you certainly have a swell idea of what they'll pay to see. It takes judgment to make a swell picture, but it takes a fighting heart to release it—not according to tradition—but when exhibitors need it! May this judgment and heart continue for everlasting benefit to Universal, to its exhibitors, and to

Your humble admirer,

HARRY ARTHUR

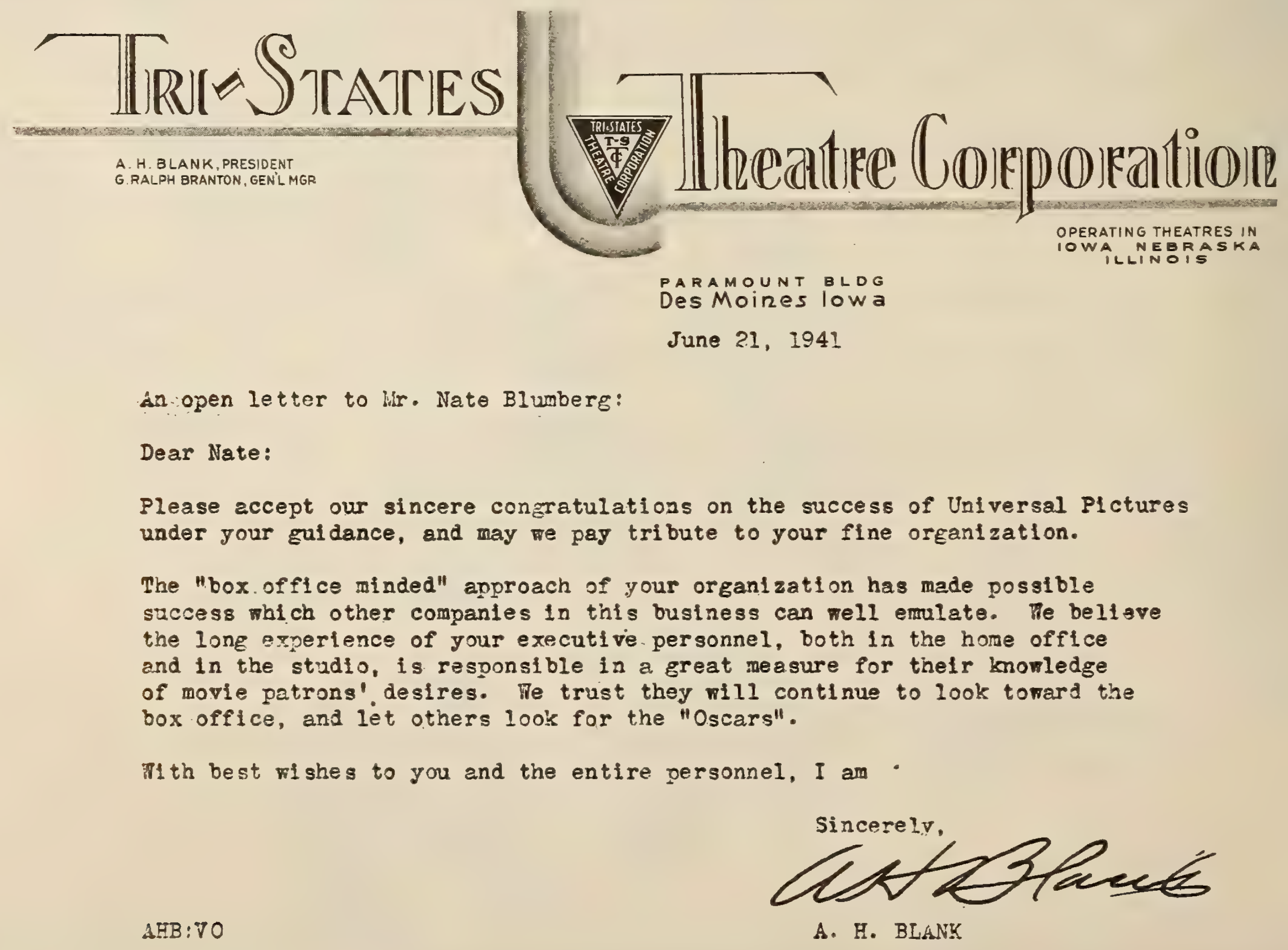
FANCHON & MARCO

P. S. Say hello to Cliff Work, Matty Fox and Bill Scully.

TO NATE BLUMBERG:—

An executive with foresight — Box-office ideas and that loyalty between exhibitor and producer that can only spell S - U - C - C - E - S - S for both.

SCHINE THEATRES



TRI-STATES THEATRE CORPORATION

A. H. BLANK, PRESIDENT
G. RALPH BRANTON, GEN'L MGR

OPERATING THEATRES IN
IOWA NEBRASKA
ILLINOIS

PARAMOUNT BLDG
Des Moines Iowa

June 21, 1941

An open letter to Mr. Nate Blumberg:

Dear Nate:

Please accept our sincere congratulations on the success of Universal Pictures under your guidance, and may we pay tribute to your fine organization.

The "box office minded" approach of your organization has made possible success which other companies in this business can well emulate. We believe the long experience of your executive personnel, both in the home office and in the studio, is responsible in a great measure for their knowledge of movie patrons' desires. We trust they will continue to look toward the box office, and let others look for the "Oscars".

With best wishes to you and the entire personnel, I am

Sincerely,

A H Blank

A. H. BLANK

AHB:VO

Dear Nate:

A hit for exhibitors is a hit for the raw film stock industry as well. You'll be pleased to know that the 2,557,100 feet of film used for "IN THE NAVY" was one of the largest amounts used for any Universal picture in many years. My sincerest congratulations and best wishes for your continued success.

JULES E. BRULATOUR

Exhibitor View Key to "U" Rise With Blumberg

(*Continued from page 7*)

able operating period in almost 10 years. Last year, Blumberg's third as president of the company, Universal reported net profit in excess of $2,000,000. For the first six months of the company's current fiscal year, profits have exceeded $1,700,000 and earnings for the entire year give promise of being in excess of $3,000,000.

New Exhibitor Manpower

Meanwhile, justifiably confident of his success theory, Blumberg has continued to gather into the Universal fold new exhibitor manpower. John J. O'Connor, who, like Blumberg, is also a former head of RKO Theatres, has been made executive assistant to the president in the East, thereby making it possible for Exhibitor Blumberg to cooperate more freely with Exhibitor Work in the vital job of production. Blumberg, now giving his personal attention to the studio, will remain there for the entire Summer.

In addition, the exhibitor viewpoint has been brought into the Universal sales department by William A. Scully, vice-president and general sales manager, who recently appointed Fred Meyers, former chief film buyer and booker of the RKO Circuit as his Eastern sales manager.

Universal is permeated through and through with exhibitors and the exhibitor viewpoint. All those exhibitors running theatres throughout the world who boast openly (and where is one that doesn't?) that exhibitors can do Hollywood's job better than Hollywood does it, can and do point with pride to what is being done by Universal.

Exhibitor Acquires Ottawa Legitimate

OTTAWA, June 25.—The Little Theatre here, operated by the Ottawa Drama League, will be used for first run British and American films, under a deal closed between the league and Ambrose Nolan of Aylmer.

Nolan said he plans to operate on a single bill policy. Under the arrangement, the Drama League will continue to present its annual program of five plays and will maintain its workshop group. Nolan is renting the house for $3,600 annually, plus $400 compensation to the league for loss of rentals.

20th-Fox Wins Suit

Application of Harry Seamon for an injunction to restrain 20th Century-Fox from exhibiting "Tin Pan Alley" was denied yesterday by N. Y. Supreme Court Justice Ferdinand A. Pecora. The court ruled that the use of the phrase "Hurtig & Seamon's" in the dialogue was merely an incidental use of the name, and therefore not violative of the New York Civil Rights Law.

TO NATE Blumberg:
TO UNIVERSAL:
FROM US down here in San Diego
where the navy has its home:
SALUTATIONS and ADMIRATION
FOR being progressive enough
AND exhibitor-minded enough
TO make such a swell picture
like
IN THE NAVY
AND for releasing it
NOW!
WHEN we need it!
YOURS appreciatively
LOU METZGER
SPRECKLES THEATRE,
BROADWAY THEATRE,
CABRILLO THEATRE,
San Diego, California

Best Wishes
to
NATE
and his associates
Comerford Theatres

IN THE NAVY

means "IN THE MONEY"

for Summer Exhibition

* * *

TO YOU

NATE BLUMBERG

OUR SALUTATIONS

Morgan
LITHO.CORP.
CLEVELAND, U.S.A.

THANKS to NATE BLUMBERG–

2,557,100 feet

of "IN THE NAVY" prints are now rolling through thousands of projection machines in American theatres, to

SRO BUSINESS!

pathé
laboratories, inc.

DO NOT REMOVE

Alert,
Intelligent
and
Indispensable
to the Motion
Picture
Industry

MOTION PICTURE DAILY

First in
Film and
Radio News
Brief,
Accurate
and
Impartial

L. 49. NO. 125 | NEW YORK, U. S. A., FRIDAY, JUNE 27, 1941 | TEN CENTS

NBC and CBS Ready for 'Go' On Television

Commercial Start July 1; DuMont Postpones

NBC and CBS are ready to take to the air with 15 hours of television weekly, beginning next Tuesday, July 1, the date designated by the FCC for the official start of commercial television. DuMont Television Corp., the other company in the field, is expected to be prepared to broadcast commercially in several weeks.

Considerable mystery surrounds the nature of the programs NBC and CBS will broadcast. Officials of these networks yesterday appeared reluctant to disclose program details, but indication was given that they will be revealed from week to week.

Films from independent sources—not from the major companies—are

(*Continued on page* 8)

Dates Advanced on Final U.A. Meetings

New Orleans, June 26.—Dates for the final three of United Artists five regional sales conventions have been advanced several days, Arthur W. Kelly, vice-president, stated on leaving here today at the close of the company's two-day Southern division meeting at the Hotel Roosevelt.

As a result of the changes, the Cincinnati meeting will be held tomorrow and Saturday, instead of June 29 and 30, as originally scheduled. The Chicago meeting will follow on Sunday and Monday, instead of June 30 to July 2, the original dates, and the final meeting at San Francisco will be

(*Continued on page* 8)

Nathanson's Odeon Circuit Adds Houses

Toronto, June 26.—N. L. Nathanson's Odeon Theatres organization has lined up a number of additional theatres throughout Canada, including a partnership deal with Sam Firestone's group of Toronto houses, the Nathanson company said today.

The Firestone deal includes the Midtown, Esquire, Mayfair and Aster here, the Esquire, Brantford, and five others elsewhere. Harry Firestone,

(*Continued on page* 4)

Lesser to RKO in Charge of 'A' Films; Nolan Leaves Lot

Hollywood, June 26. — Sol Lesser today disclosed that he will join RKO on Monday as executive in charge of "A" picture production.

It was revealed also that J. J. Nolan, vice-president in charge of studio operations, will leave the company July 15 after 22 years of service.

An official announcement by RKO regarding Lesser is being withheld, it is understood, pending conclusion of his negotiations with United Artists on his releasing contract with that com-

(*Continued on page* 4)

Sol Lesser

W. B. Canadian Sales Meeting July 15-16

Toronto, June 26.—Warners' Canadian sales meeting will be held at the Mount Royal Hotel, Montreal, July 15-16, Wolfe Cohen, Canadian district manager, announced here today.

Sales executives from the home office will attend, including: Gradwell L. Sears, general sales manager of Warners, and president of Vitagraph,

(*Continued on page* 4)

Republic Sues on 'Superman' Rights

Republic yesterday filed a $50,000 damage suit in N. Y. Supreme Court against Detective and Superman, Inc. The complaint charges the defendant with breaching an agreement made in April, 1940, under which the plaintiff was to have the right to make a serial based on the comic cartoon strip, "Superman." Fleischer Studios subsequently obtained the right to make an animated cartoon film based on the strip.

'U' Resuming Its Dividends On Preferred

Universal Pictures Co. yesterday resumed payment of dividends on its first preferred stock for the first time since Oct. 1, 1932.

The board of directors declared a dividend of $2 per share on the first preferred, payable July 11 to holders of record on July 7. After payment of this dividend, the dividends in arrears on the preferred will amount to $68 a share, as of July 1.

The Universal first preferred made a 13-point gain in trading on the New York Stock Exchange this week but sold off two points yesterday to close at 158. The company has no immediate plan to retire the issue.

Republic's Business Gain 40% in S.A., Goodman Says

By EUGENE ARNEEL

Republic's business in Latin America has increased about 40 per cent over 1940, Morris Goodman, vice-president in charge of foreign sales, who returned earlier in the week from a tour there, reported at a press conference yesterday. The gain is largely attributable, he said, to improved product, the competent distribution arrangement and to the great scarcity of European films.

Goodman said that production is spotty in all Latin American countries with one exception, Argentina, which turns out 50 to 60 films annually. Touching on exhibition, Goodman disclosed that theatre building is under

(*Continued on page* 4)

Roy Disney Named to Replace Horne Here

Roy Disney will be in charge of the Eastern offices of Walt Disney, with the resignation of Hal Horne, it was learned yesterday. James Finey, who has been assistant to Horne, will hereafter function in the same capacity to Disney. Antoinette Spitzer will become chief of Eastern publicity, succeeding Richard Condon, whose resignation is effective July 15.

Condon, it is reported, will be associated with Horne in the latter's new activities which will include the manufacture and marketing of a novelty musical instrument.

M-G-M Sets Trade Shows In 62 Cities

Exhibitors to See First Three Films July 14

M-G-M will conduct trade showings of the first three of its new season features in 62 cities during the period from July 14 to Aug. 2, William F. Rodgers, general sales manager, announced yesterday, and at the same time amplified his recent statement on the company's sales policy.

M-G- will continue to sell on both percentage and flat rental bases, Rodgers asserted, correcting an earlier impression that the company would sell only on percentage next season.

"For those who play largely on percentage," he said, "we propose to of-

(*Continued on page* 7)

W. F. Rodgers

Frels Files Second Arbitration Appeal

The second appeal from an arbitration award was filed with the national appeals board here yesterday by Ruben Frels, operator of the Normana Theatre, El Campo, Texas.

Frels is appealing from a decision made June 2 by L. M. Jordan, arbitrator, at the Dallas board, dismissing his "some run" complaint against 20th Century-Fox. In his decision, Jordan ruled that 20th Century-Fox had offered Frels pictures for some run, thereby complying with Section Six of the consent decree.

Appeal briefs may be filed with the

(*Continued on page* 4)

In Today's Issue

Reviews of "Sweeheart of the Campus," "Two in a Taxi" (both from Hollywood) and "Poison Pen," Page 4; "Kukan," Page 5. Broadway grosses, Page 4. Key city grosses, Pages 5 and 7. Coast Flashes, Page 2.

Coast Flashes

Hollywood, June 26

ANNA NEAGLE'S next picture for RKO produced by Herbert Wilcox will be a melodrama made in Canada and England dealing with the North Atlantic patrol and the British Secret Service, the studio announced today. They will leave for England to start production following a tour of Canada now in preparation.

•

Bette Davis today was set for "The Man Who Came to Dinner" by Warners.

•

Don Ameche was "borrowed" today by M-G-M from 20th Century-Fox for the lead in "Female of the Species."

•

As the Walt Disney cartoonists' strike ended its 30th day, Harold V. Smith, IATSE official acting as mediator, still was attempting to effect a settlement. Disney and union representatives met again to consider the program drafted by Smith to end the walkout and will disclose their decision tomorrow.

Braden and Wright To Confer in Capital

Washington, June 26.—J. Noble Braden, executive secretary of the American Arbitration Association, is scheduled to confer here tomorrow with Assistant U. S. Attorney General Robert Wright, who is in charge of consent decree enforcement.

So far as could be learned today, no major issues are to be taken up at the meeting, but Braden and Wright are expected to discuss arbitration operations to date.

Braden will stop here en route to the annual convention of the Theatre Owners of North and South Carolina at Myrtle Beach, S. C., Sunday and Monday.

De Rochemont Back From Trip to Vichy

Richard de Rochemont, managing editor of March of Time, arrived on the *Dixie Clipper* yesterday after six weeks in Vichy during which he gathered material for a new issue. De Rochemont brought back about 10,000 feet of film, most of which is undeveloped, and thus was not subject to censorship, it is said. He traveled from Vichy to Lisbon by automobile with the film, according to a home office spokesman.

NLRB Election by Publicists July 9

Home office publicists in the eight major companies will vote on designation of the Screen Publicists Guild as collective bargaining representative in elections to be conducted by the National Labor Relations Board July 9.

The date was decided at a conference between the companies and the guild at NLRB regional headquarters, pursuant to the order for an election recently handed down by the board.

Personal Mention

LEO SPITZ'S birthday is Monday.

•

Herman Wobber's birthday is Monday.

•

Morris Cantor of the Cantor Circuit; John Gentile, Paramount booker, and LaVerne Enzor of the Universal exchange, all in Indianapolis, are vacationing in the East.

•

James R. Grainger, Republic president, returns from Toronto over the weekend.

•

Don Higgins, publicity director for March of Time, is in Puerto Rico on vacation.

•

Sergt. Alvin C. York has postponed his arrival in New York to next Tuesday.

•

Clyde Willard, resigned as assistant at the Indianapolis Lyric, has gone to California to live. John Phelps succeeds him.

NEIL AGNEW, Paramount vice president and distribution head, has returned from the Coast. Barney Balaban, president, and Stanton Griffis, chairman of the executive committee, are scheduled to arrive from the studio Monday.

•

J. Cheever Cowdin, Universal board chairman, left for the Coast by plane last night for a 10-day visit at the studio.

•

David Rose, Paramount managing director for Great Britain, arrived yesterday on the Coast.

•

Mary Ann McRee of the Warner Indianapolis exchange, was married recently to Robert N. Dunham.

•

Robert Munzer of the College Theatre, New Haven, plans a Miami fishing trip next month.

W. B. to Cut Prices For Men in Service

Warner Theatres on July 7 will inaugurate reduced prices for men in the service, Joseph Bernhard, the circuit's general manager, announced yesterday following a meeting of zone managers, film buyers and home office executives at the Hotel Astor.

Price scales will be worked out to fit each local situation, it was said, and will apply to soldiers, sailors, marines and other service men.

Harry M. Warner, president of Warners, addressed the meeting, speaking on industry problems.

Among those present were: James Coston and Alex Halperin, Chicago; Nat Wolf and Nat Fellman, Cleveland; I. J. Hoffman, Bert Jacocks and Max Hoffman, New Haven; Don Jacocks and Frank Damis, Newark: Moe Silver and Max Freedman, Albany; Ted Schlanger and Ed Hinchy, Philadelphia; Harry Kalmine, Harry Feinstein and Saul Bragin, Pittsburgh; John J. Payette and George Crouch, Washington, and the following from the home office: Clayton Bond, Harry Goldberg, Leonard Schlesinger, Frank Phelps, Sam Morris, Abel Vigard, W. S. McDonald, Harry Rosenquest, Louis Kaufman, Herman Maier and Frank Cahill.

Cut Soldier Price in S. F.

San Francisco, June 26.—Special reduced admission prices for service men, corresponding to the present "junior admissions," have been established in 21 neighborhood theatres here—15 of the Golden State circuit and six of San Francisco Theatres, Inc.

Hammons Finishes Second Short Here

E. W. Hammons has completed his second short subject at Eastern Service Studios, a comedy on dog training. His first, "Hands of Destiny," was sold to Paramount recently for distribution by that company. Hammons also is making arrangements for a feature production.

Testimonial to Blum In Baltimore Monday

Baltimore, June 26.—A testimonial dinner will be given here for Herman Blum, prominent in national Allied States and Maryland exhibitor organization affairs for many years, on Monday night, marking his retirement from theatre business.

The MPTO of Maryland, an Allied affiliate of which Blum was president for several terms, will sponsor the testimonial, and Abram F. Myers, chairman and general counsel of Allied, will attend as the representative of the national organization.

Blum was a charter member of Allied and was its treasurer for many years. He has been made an honorary national councillor of Allied in recognition of his work for the organization, and has been made a life member of the Maryland organization. Blum recently disposed of his theatre interests and will be succeeded on the national Allied board by Meyer Leventhal as the Maryland representative.

Hitchcock Here for Talk with Selznick

Alfred Hitchcock, having completed direction assignments for RKO, is in New York for conferences with David O. Selznick, for whom he will make a film.

Hitchcock will appear on "Information Please" on NBC tonight.

Phila. Exhibitor Dies

Philadelphia, June 26.—John Monroe, 65, veteran exhibitor and owner of the Forepaughs Theatre, died today in Abington Hospital after an operation. He was active in the Variety Club. Three sons, who will continue operation of the theatre, and five daughters survive. Funeral services will be held Monday.

Union Leader Dead

Youngstown, O., June 26.—Edward J. Pinney, 61, IATSE representative here, died suddenly here yesterday of a heart attack.

Newsreel Parade

TROOP movements and maneuvers and other defense subjects plus war items from England make up the greater part of the weekend issues. The Poughkeepsie regatta and a diving exhibition are sports events covered. The reels and their cont[illegible] follow:

MOVIETONE NEWS, No. 84—Convoy arrives in England. U. S. troops sail from Brooklyn. Washington family of 19 buys defense stamps. Pacific lighthouse keeper retires. Eddie Rickenbacker arrives in New York. Queen Elizabeth studies food rationing in England. Prince Paul reviews Greek fleet. King Peter of Yugoslavia in England. New airliner tested on the Coast. Travel fashions. Poughkeepsie regatta. Diving in California.

NEWS OF THE DAY, No. 282—R.A.F. pilots return after raids. Soviet army on the march. Eucharistic Congress in Minneapolis. Rickenbacker in New York. Biggest Washington family buys defense securities. Lay mines in Chesapeake Bay. Parachute maneuvers in Washington. Diving in California. Crew race in Poughkeepsie.

PARAMOUNT NEWS, No. 87—Air raid wardens recruited in New York. Brooklyn school children in air raid drill. Maryland aircraft workers are fingerprinted. New York raid technicians sign for duty in England. Marshal Petain and the French air force; French soldiers arrive in Lyon from Nazi camps. Troops leave New York for war games. Selected soldiers in Aberdeen, Md. Washington artillery troops in action. Washington family of 19 buys defense stamps. Rowing at Poughkeepsie.

RKO PATHE NEWS, No. 87—Brooklyn school has air raid drill. Troops leave New York for maneuvers. LaGuardia starts aluminum drive. Youths at N. Y. A. shipyard in Staten Island. Big Washington family buys defense stamps. Royal Navy in Hong Kong has a party. Herbert Hoover Library opened in Palo Alto. Eucharistic Congress in Minneapolis. Army tests new amphibian car in Maryland. California diving exhibition. Rodeo in Colorado.

UNIVERSAL NEWSREEL, No. 992—Bell factory at Niagara Falls begins operation. Aluminum drive in Washington. Parachute tactics at Fort Lewis, Washington. Troop transports leave Brooklyn. Gibraltar reinforced. Nazi bombers downed in England. New Yorkers enlist for radio work in England. Washington's largest family buys defense stamps. Twin pandas born at San Diego zoo. Chicago women learn jiu-jitsu. Diving at Beverly Hills.

Hear Censor Ban Appeal

Albany, June 26.—The New York State Board of Regents has before it the appeal of Crystal Pictures, Inc., from the state censor ban on the film, "Sunset Murder Case."

MOTION PICTURE
DAILY

(*Registered U. S. Patent Office*)

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THEY'RE IN THE ARMY NOW AND HOW

More flash news about the show that's smashing into new box-office records everywhere!

MEMPHIS — 1st 5 days — 18% above "Zanzibar"!

KNOXVILLE — 36% above "Zanzibar"!

CHATTANOOGA — 20% above "Zanzibar"!

BIRMINGHAM — 40% above "Zanzibar"!

OMAHA — 60% above "Zanzibar"!

DES MOINES — 13% above "Zanzibar"!

ERIE — 33% above "Zanzibar"!

GREENSBORO — 21% above "Zanzibar"!

WILMINGTON, N. C. — 30% above "Zanzibar"!

ATLANTA — 2nd week — 43% above "Zanzibar"!

Extra Special FLASH!
Wire from Tony Sudekum says: "Paramount Theatre, Nashville, does biggest week-end since he's been in show business!"

BOB HOPE · DOROTHY LAMOUR
in Paramount's
"CAUGHT IN THE DRAFT"
with
LYNNE OVERMAN · EDDIE BRACKEN
Produced by B. G. DeSYLVA · Directed by David Butler

DEPEND ON PARAMOUNT FOR THE REAL BIG ONES!

'Caught in Draft' Wallops B'way, Beats the Heat

"Caught in the Draft," the new Bob Hope-Dorothy Lamour film, is Broadway's best grosser this week. Bob Weitman, impresario of the Paramount Theatre, has surrounded the screen bill with a crack big-time stage show which includes Danny Kaye, Jane Froman and Will Bradley's Orchestra, and the house is rocking with laughter, music and song. Business is described by officials as bigger even than "North West Mounted Police," despite the intense heat which has been whipping the city dry the past few days.

On the first day the Hope-Lamour picture grossed about $9,000, and accomplished the unusual yesterday by doing even better, for perhaps an estimated $9,700. This is terrific. Also strong is "Tight Shoes," grossing one of the biggest weekly figures at the Rialto in many weeks, at $9,000. It is holding over, of course.

Another strong film is "Blossoms in the Dust," which opened with about $11,500 at the Radio City Music Hall yesterday with a stage presentation.

The hot spell crimped business along Broadway the past week. "Billy the Kid" grossed about $14,000 on the week at the Capitol. Its successor is "The Big Store," the Marx Bros. film.

"She Knew All the Answers," with a stage show, grossed an estimated $63,000 at Radio City Music Hall.

"Man Hunt" with a stage show at the Roxy brought about $29,000 for the second week, and is holding for a third.

"Underground" at the Globe grossed an estimated $8.000.

Nathanson's Odeon Circuit Adds Houses

(Continued from page 1)

son of the owner, becomes Odeon supervisor for Central Ontario.

Odeon also stated that it would obtain the lease on the Uptown here, Sept. 1, when the present Famous Players Canadian lease on the house from Loew's Theatres, Ltd., will expire. Odeon is expected here to announce its full list of theatres within the next few days.

H. J. Yates and James R. Grainger, Republic president, conferred here today with Nathanson. Indications as a result are that the contract for distribution of Republic product by Empire-Universal, a Nathanson company, will be continued.

F. J. A. McCarthy, Universal Canadian and Southern sales manager, also conferred here with Nathanson recently, reportedly along the same lines.

Schless Leaves on Trip to Australia

Robert Schless, Warner foreign manager, left last night en route to Australia where, it is reported, he will participate in negotiating a product deal with Hoyts' Circuit. He arrives on the Coast today by TWA Stratoliner and is scheduled to leave for Australia by clipper tomorrow. This will be Schless' first trip to Australia since becoming foreign manager.

Feature Reviews

"Sweetheart of the Campus"

(Columbia)

Hollywood, June 26

THE tap-dancing of Ruby Keeler, the singing of Harriet Hilliard and music by Ozzie Nelson and his band are the chief attractions in this picture. The plot hardly held the interest of a largely non-professional audience at the preview in Glendale, Cal. Much of the intended humor also met with little response.

Just before its opening a college-town night club is shut down and the band and its star dancer and singer, Miss Keeler, become students at the college, where the gym is converted into a cafe. A campaign is conducted to bring the enrollment up to the State requirement and save the property from reverting to Kathleen Howard, board chairman and the person responsible for closing the night club and discouraging attendance at the college. As expected, at the last minute Miss Keeler brings in the required number of new students.

Seven musical numbers are interpolated and Miss Keeler has frequent opportunities to dance. The Four Spirits of Rhythm have one number. The cast also includes Gordon Oliver, Don Beddoes, Charles Judels, Byron Foulger, George Lessey, Frank Gaby and Leo Watson. The film was produced by Jack Fier and directed by Edward Dmytryk.

Running time, 65 minutes. "G."*

"Two in a Taxi"

(Columbia)

Hollywood, June 26

IN his first straight dramatic role since playing the "Lucky" of the "Hopalong Cassidy" series, Russell Hayden here appears as an independent taxi driver, trying to save enough money to buy a filling station and become independent of the finance company.

Anita Louise is seen as the girl he wants to marry, Noah Beery, Jr., as his best friend. Dick Purcell, Chick Chandler, Fay Helm, George Cleveland and Frank Yaconelli also appear to good advantage, but, like the principals, are hampered by story limitations.

As produced by Irving Briskin and directed by Robert Florey, the plot portrays the struggles and tribuations of the young couple, and makes them appear part of a not always sympathetic economic system. Humor has its share in the film, but not enough to lighten the load of the story.

Running time, 62 minutes. "G."* W. S.

**"G" denotes general classification.*

"Poison Pen"

(Republic)

FROM England Republic has acquired for showing here a weighty drama of a plague of pernicious letter writing that befalls a small village, resulting in murder and suicide in three instances.

Although it is by no means light entertainment, the film is impressive for its sincere performances and intelligent direction. The pace is somewhat slow but is always steady with the most obviously melodramatic scenes toned down. It is serious entertainment.

The British cast is headed by Flora Robson, whom the audience is given to suspect as the guilty party about halfway through the film. Before committing suicide, as did a young dressmaker at first suspected and hounded by the townsfolk, she divulges to her brother, the vicar, that her anonymous "poison pen" letter writing was motivated by her desire to destroy the marital bliss of others because she, herself, was deprived of it.

Running time, 66 minutes. "A."*

**"A" denotes adult classification.*

Lawyers Completing Work on K-A-O Deal

The special meeting of Keith-Albee-Orpheum stockholders, scheduled for today to act on the refunding and consolidation plan for the company, may be postponed again due to the fact that attorneys at a late hour yesterday had not completed work on certain contracts involved in the plan.

If an adjournment is necessary, it will be for a short period, probably to Monday.

Republic's S. A. Gain 40%, Goodman Says

(Continued from page 1)

way chiefly in Venezuela and Mexico.

Westerns, Goodman said, are steadily gaining in popularity. He added that Gene Autry did not become popular with Latin Americans until the release of "South of the Border," about a year and a half ago. "Rancho Grande," which followed, further established Autry with audiences there, he said.

Lesser to RKO in Charge of 'A' Films; Nolan Leaves Lot

(Continued from page 1)

pany, which runs to 1945. Lesser will make one more picture for U. A., "Any Girl Would," formerly titled "Strange Victory."

Harry Edington, RKO execut producer, whose contract is understood to have several months to run, is in Alaska on vacation.

It was announced that Nolan will take an extended vacation and announce his plans thereafter. Although his resignation was tendered two months ago, acceptance was signified only today.

Nolan joined the predecessor company in 1920. He was elected assistant treasurer in 1929 and came to Hollywood in 1934. He was elected vice-president in charge of the studio in 1939.

Warner Canadian Meeting July 15-16

(Continued from page 1)

Ltd., the Canadian Warner organization; Carl Leserman, assistant to Sears, and vice-president of the Canadian company; Roy Haines, Eastern and Canadian division manager; Ben Kalmenson, Western division manager, and Norman Moray, short subjects sales manager.

Product for next season will be outlined and sales policies discussed.

Managers and chief salesmen from six Canadian offices will attend, those from Toronto including Manager Joseph Plottel; Alfred E. Piggins, district booker; Harry Law, salesman, and Glenn Ireton, district press director. Other managers are: Lewis McKenzie, St. John; Philip Sherman, Montreal; Louis Geller, Winnipeg; Harry Kohn, Calgary, recently promoted to manager there succeeding Sam Pearlman, and I. Koval, Vancouver.

Frels Files Second Arbitration Appeal

(Continued from page 1)

board in New York within the next 30 days.

Nebraska Complaint Withdrawn in Denver

The clearance complaint of W. J. and J. L. McDonald, operators of the Nile Theatre, Mitchell, Neb., against Paramount, Warners and 20th Century-Fox has been withdrawn by the plaintiff, American Arbitration Association headquarters here was advised yesterday by the Denver local board.

The complaint was filed on April 29 and named the Egyptian, Oto and Bluffs theatres at Scottsbluff, Neb., as interested parties.

Indiana Towns Go To Daylight Saving

INDIANAPOLIS, June 26.—Cities surrounding Indianapolis are following her lead in changing over to Daylight Saving Time, which became effective here on Sunday by proclamation of the Mayor. The cities include Crawfordsville, Martinsville, Greenwood, Greenfield, Bloomington and Franklin.

'Devil Dogs,' Show Frisco Hit at $18,500

SAN FRANCISCO, June 26. — With Sophie Tucker on the stage, "Devil Dogs of the Air" hit $18,500 at the Golden Gate. The Warfield bill of "Out of the Fog" and "Affectionately Yours," drew $13,500. "In the Navy" and "Mr. Dynamite" drew $8,600 in the third week at the Orpheum.

Estimated receipts for the week ending June 17-22:

"Devil Dogs of the Air" (W.B.)
GOLDEN GATE—(2,850) (35c-40c-55c) 7 days. Stage: Sophie Tucker and vaudeville. Gross: $18,500. (Average, $15,000)

"That Hamilton Woman" (U. A.)
UNITED ARTISTS—(1,200) (25c-30c-40c-50c) 7 days, 3rd week. Gross: $7,800. (Average, $8,000)

"In the Navy" (Univ.)
"Mr. Dynamite" (Univ.)
ORPHEUM—(2,440) (15c-35c-40c-50c) 7 days, 3rd week. Gross: $8,600. (Average, $8,000)

"Billy the Kid" (M-G-M)
"Reaching for the Sun" (Para.
ST. FRANCIS — (1,400) (15c-35c-40c-50c) 7 days, 3rd week (moved over from Warfield). Gross: $5,400. (Average, $6,000)

"One Night in Lisbon" (Para.)
"Power Dive" (Para.)
PARAMOUNT — (2,740) (15c-35c-40c-50c) 7 days, 2nd week. Gross: $9,800. (Average, $11,500)

"Million Dollar Baby" (W. B.)
"Thieves Fall Out" (W. B.)
FOX—(5,000) (15c-35c-40c-50c) 7 days. Gross: $17,000. (Average, $16,000)

"Out of the Fog" (W. B.)
"Affectionately Yours" (W. B.)
WARFIELD—(2,680) (15c-35c-40c-50c) 7 days. Gross: $13,500. (Average, $12,000)

"On Parade" (World Pictures)
CLAY—(400) (15c-35c-45c) 7 days. Gross: $1,200. (Average, $1,000)

"Citizen Kane" (RKO)
GEARY—(1,288) (55c-75c-$1.10-$1.65) 7 days, 4th week. Gross: $5,800. (Average, $10,000)

'Billy' Has Strong $15,000, St. Louis

ST. LOUIS, June 26.—Despite competition from the Municipal Opera and two night major league baseball games, "Billy the Kid," drew $15,000 at Loew's State for the best business the theatre has had in weeks. Grosses at the other houses, however, again were down.

Estimated receipts for week ending June 19:

"Billy the Kid" (M-G-M)
"The Lone Wolf Takes a Chance" (Col.)
LOEW'S STATE—(3,162) (28c-39c-44c-56c) 7 days. Gross: $15,000. (Average, $13,000)

"Back in the Saddle" (Rep.)
"Meet the Missus" (Rep.)
ST. LOUIS—(4,000) (25c-35c) 7 days. Gross: $1,600. (Average, $2,600)

"In the Navy" (Univ.)
"Blood and Sand" (Univ.)
MISSOURI—(3,514) (30c-40c-50c) 7 days. Gross: $5,000. (Average, $4,000)

"Adventure in Washington" (Col.)
"Time Out for Rhythm" (Col.)
AMBASSADOR—(3,018) (28c-39c-44c-56c) 7 days. Gross: $8,800. (Average, $11,500)

"Tight Shoes" (Univ.)
"Lady from Louisiana" (Rep.)
FOX—(5,038) (20c-30c-40c) 7 days. Gross: $5,000. (Average, 30c-40c-50c scale, $11,000)

Shift FWC Managers

OAKLAND, Cal., June 26.—In a general Fox-West Coast manager shake-up in the East Bay area, Warren Peckner has moved from the California, Berkeley, to the Orpheum in Oakland; Edgar Catley from the Orpheum to the State; H. Walsh takes over as manager of the Senator; and John Westphal, manager of the State, has resigned.

Feature Review

"Kukan"

(Adventure Epics, Inc.)

PRESENTED by William Alexander and Herbert T. Edwards, and photographed and narrated by Rey Scott, this documentary film in natural color of the embattled China of today is a truly inspiring screen document.

Characterized by excellent technical work and good color reproduction under what must have been severe production handicaps, the film emerges as a keen reflection of the spirit of the modern and remade China, meeting the Japanese with fortitude and strength, molding a new country from an age-old civilization under the dread fire of bombers raining death.

The film is especially timely, of course, in view of the current Asiatic situation, and the Chinese relief drive under way now in this country. It is a tribute to Scott's skill and daring that such excellent material could have been made.

So well has the film been pieced together, also, that it emerges as a fascinating study of a cross-section of the vast country of China, highlighted by typical scenes in various sections of the nation; pictures of Generalissimo Chiang Kai Chek and his American-educated wife, a constant source of inspiration to her people; and detailed and interesting pictures of the much-discussed and vital Burma Road, China's life-line for supplies. It is an intensely interesting motion picture.

Running time, 90 minutes. "G."* CHARLES S. AARONSON

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*"G" denotes general classification.

Buffalo Gives 'Navy' Good $7,400 Gross

BUFFALO, June 26.—"In the Navy" and "The Black Cat" drew well at the Lafayette with $7,400, despite warm weather and opening of beach resorts. A stage show and "Scattergood Pulls The Strings" made $9,800 at the Twentieth Century.

Estimated receipts for the week ending June 21:

"One Night in Lisbon" (Para.)
"The Getaway" (M-G-M)
BUFFALO — (3,489) (30c-55c) 7 days. Gross: $8,400. (Average, $12,000)

"Million Dollar Baby" (W. B.)
"The Wagons Roll at Night" (W. B.)
GREAT LAKES—(3,000) (30c-55c) 7 days. Gross: $6,800. (Average, $7,500)

"Blood and Sand" (20th-Fox)
"The Bride Wore Crutches" (20th-Fox)
HIPPODROME—(2,100) (30c-50c) 7 days, 2nd week. Gross: $4,900. (Average, $6,800)

"Scattergood Pulls the Strings" (RKO)
TWENTIETH CENTURY—(3,000) (30c-50c) 7 days. Bill Robinson and his Mimo Club revue, Dancing Feet, on stage, with Apus and Estrellita, The Eight Sensational Madcaps, Leon Warwick and Claudia McNeill. Gross: $9,800. (Average, $7,500)

"In the Navy" (Univ.)
"The Black Cat" (Univ.)
LAFAYETTE—(3,000) (30c-50c) 7 days. Gross: $7,400. (Average, $6,300)

'Navy' Kansas City Winner at $8,500

KANSAS CITY, June 26. — "In the Navy" and "Scotland Yard" scored $4,000 at the Esquire and $4,500 at the Uptown, for a total of $8,500. "The Singing Hill," with Major Bowes prize winners on the stage, took $8,000 at the Tower.

Estimated receipts for the week week ending June 19:

"In the Navy" (Univ.)
"Scotland Yard" (20th-Fox)
ESQUIRE—(800) (30c-44c) 7 days. Gross: $4,000. (Average, $2,200)

"Billy the Kid" (M-G-M)
"Broadway Limited" (U.A.)
MIDLAND—(3,600) (28c-44c) 7 days, 2nd week. Gross: $7,700. (Average, $9,500)

"One Night in Lisbon" (Para.)
"Reaching for the Sun" (Para.)
"The Forgotten Man" (Para.)
NEWMAN—(1,900) (28c-44c) 7 days, 2nd week for "One Night in Lisbon." Gross: $8,000. (Average, $7,000)

"The Singing Hill" (Rep.)
TOWER—($2,200)) (30c) 7 days. Stage: Major Bowes 1941 Prize Winners. Gross: $8,000. (Average, $6,000)

"In the Navy" (Univ.)
"Scotland Yard" (20th-Fox)
UPTOWN—(2,000) (30c-44c) 7 days. Gross: $4,500. (Average, $3,000)

'Limited,' Dorsey $20,500 in Capital

WASHINGTON, June 26.—A week which was about average saw Loew's Capitol take $20,500 with "Broadway Limited," with Jimmy Dorsey and his orchestra on the stage.

Estimated receipts for the week ending June 18-22:

"Blood and Sand" (20th-Fox)
LOEW'S PALACE — (2,300) (39c-55c) 7 days. Gross: $13,000. (Average, $15,000)

"Broadway Limited" (U.A.)
LOEW'S CAPITOL—(3,434) (28c-39c-55c-66c-77c) 7 days. On stage: Jimmy Dorsey and his orchestra, Robinson & Martin, Art Carney. Gross: $20,500. (Average, $15,500)

"She Knew All the Answers" (Col.)
WARNERS' EARLE—(2,200) (28c-39c-55c 66c-77c) 7 days. On stage: Truth or Consequences, Radio Aces, Roxyettes. Gross: $16,200. (Average, $15,000)

"Fantasia" (RKO)
NATIONAL — (1,693) (75c-$1.10-$1.65) 7 days, 6th week. Gross: $9,000.

"Wagons Roll at Night" (W.B.)
WARNERS' METROPOLITAN — (1,600) (28c-44c) 7 days. Gross: $5,300. (Average, $4,000)

"That Hamilton Woman" (U.A.)
LOEW'S COLUMBIA — (1,250) (28c-44c) 7 days, return engagement. Gross: $5,200. (Average, $3,500)

'Lisbon' Sets Pace For Minneapolis

MINNEAPOLIS, June 26.—"One Night in Lisbon" did $8,500 at the State despite pleasant weather. Other grosses were off except "Meet John Doe," in its second week, with $6,000 at the Century.

Estimated receipts for the week ending June 21:

"Mail Train" (20th-Fox)
"Playgirl" (RKO) 4 days
"Pirates on Horseback" (Para.) 3 days.
"Scotland Yard" (20th-Fox)
ASTER—(900) (15c-28c) 7 days. Gross: $1,800. (Average, $1,800)

"One Night in Lisbon" (Para.)
STATE—(2,300) (28c-39c-44c) 7 days. Gross: $8,500. (Average, $6,000)

"Million Dollar Baby" (W. B.)
ORPHEUM—(2,800) (28c-39c-44c-55c) 7 days. Gross: $5,500. (Average, $5,500)

"Wagons Roll at Night" (W. B.)
GOPHER—(998) (28c) 8 days. Gross: $2,700. (Average, $2,500)

"That Hamilton Woman" (U. A.)
WORLD—(350) (28c-39c-44c-55c) 7 days, 2nd week. Gross: $1,700. (Average, $1,600)

"Meet John Doe" (W. B.)
CENTURY—(1,600) (28c-39c-44c) 7 days. 2nd week. Gross: $6,000. (Average, $4,000)

'Navy,' 'Shoes' Best L.A. Bill With $32,000

LOS ANGELES, June 26.—"In the Navy," coupled with "Tight Shoes," led grosses, obtaining $17,500 at the RKO Hillstreet and $14,500 at the Pantages, and chalking up the best business in some time at the former house. "Billy the Kid" with "Scotland Yard" was the next highest comparative grosser, getting $14,000 at the Chinese and $17,000 at Loew's State.

Estimated receipts for the week ending June 17:

"Billy the Kid" (M-G-M)
"Scotland Yard" (20th-Fox)
CHINESE—(2,500) (33c-44c-55c-75c) 7 days. Gross: $14,000. (Average, $12,000)

"Fantasia" (Disney)
CARTHAGE CIRCLE—(1,518) (55c-$1.65) 7 days, 20th week. Gross: $6,500. (Average, $17,000)

"Citizen Kane" (RKO)
EL CAPITAN—(1,600) (75c-$1.65) 7 days, 6th week. Gross: $3,500.

"Rage in Heaven" (M-G-M)
4 STAR—(900) (44c-55c) 7 days, 2nd week. Gross: $5,000. (Average, $3,250)

"In the Navy" (Univ.)
"Tight Shoes" (Univ.)
HILLSTREET—(2,700) (33c-44c-55c-75c) 7 days. Gross: $17,500. (Average, $6,500)

"Billy the Kid" (M-G-M)
"Scotland Yard" (20th-Fox)
LOEW'S STATE—(2,700) (33c-44c-55c-75c) 7 days. Gross: $17,000. (Average, $14,000)

"In the Navy" (Univ.)
"Tight Shoes" (Univ.)
PANTAGES—(3,000) (33c-44c-55c-75c) 7 days. Gross: $14,500. (Average, $7,000)

"One Night in Lisbon" (Para.) (2nd week)
"Lady From Louisiana" (Rep.)
PARAMOUNT—(3,595) (33c-44c-55c-75c) 7 days. Stage: Harry Owens. Gross: $12,500. (Average, $18,000)

"Out of the Fog" (W. B.)
"They Met in Argentina" (RKO)
WARNER BROS. (Hollywood)—(3,000) (33c-44c-55c-75c) 7 days. Gross: $10,000. (Average, $14,000)

"Out of the Fog" (W. B.)
"They Met in Argentina" (RKO)
WARNER BROS. (Downtown)—(3,400) (33c-44c-55c-75c) 7 days. Gross: $9,000. (Average, $12,000)

'Lisbon' in Detroit Gets Nice $13,500

DETROIT, June 26. — Rainy weather over the weekend and two warm closing days kept business near normal. The Michigan grossed $13,500 with "One Night in Lisbon" and "The Wagons Roll at Night."

Estimated receipts for the week ending June 19:

"Blood and Sand" (20th-Fox)
"The Cowboy and the Blonde" (20th-Fox)
ADAMS—(1,600) (15c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $5,500)

"Penny Serenade" (Col.)
"Footsteps in the Dark" (W. B.)
FISHER—(2,700) (15c-39c-44c-55c) 7 days. Gross: $6,500. (Average, $7,000)

"She Knew All the Answers" (Col.)
"The Flame of New Orleans" (Univ.)
FOX—(5,000) (20c-44c-55c-65c) Dr. I. Q. radiocast Monday night, 7 days, 2nd week. Gross: $15,000. (Average, $15,000)

"One Night in Lisbon" (Para.)
"The Wagons Roll at Night" (W. B.)
MICHIGAN—(4,000) (15c-39c-44c-55c-65c) 7 days. Gross: $13,500. (Average, $12,000)

"I Wanted Wings" (Para.)
"Honeymoon for Three" (W. B.)
PALMS—(2,000) (25c-39c-44c-55c) 7 days. Gross: $7,000. (Average, $7,000)

Kanin Inducted in Army

BEVERLY HILLS, June 26.—Garson Kanin, director, was inducted into the army yesterday. He was called three months ago but was deferred to enable him to finish work on "Tom, Dick and Harry" at RKO.

MOTION PICTURE DAILY'S BOOKING CHART

	COLUMBIA	M-G-M	PARA.	REPUBLIC	RKO RADIO	20TH-FOX	U. A.	UNIVERSAL	WARNERS	MISC.
May 30	Adventure in Washington (D) 2010 *Herbert Marshall*	Billy the Kid (O) 137 *Robert Taylor* *Mary Howard*	I Wanted Wings (D) 4028 *Ray Milland* *Holden-Morris*	Saddlemates (O) 067 3 *Mesquiteers*	Sunny (M) 133 *Anna Neagle* *Ray Bolger* *John Carroll*	Blood and Sand (D) 143 *Tyrone Power* *Linda Darnell*		In the Navy (C) *Bud Abbott* *Lou Costello*	Million-Dollar Baby (D) 508 *Priscilla Lane* *Jeffrey Lynn*	Silver Stallion (Mono.) *David Sharpe* *Janet Waldo*
June 6		Mata Hari (D) (Reissue) *Greta Garbo* *L. Barrymore*		Angels With Broken Wings (D) 016 *Binnie Barnes*	The Saint's Vacation (D) 131 *Hugh Sinclair*	For Beauty's Sake (C) 144 *Ned Sparks* *Marjorie Weaver*		Men of the Timberlands (D) 5055 *Arlen-Devine*	Devil Dogs of the Air (D) 550 (Re-issue) Shining Victory (D) 564	Wranglers' Roost (Mono.) Texas Marshal 156 (PRC)
June 13	Richest Man in Town (C) 2026 *Roger Pryor* *Eileen O'Hearn*	The Get-Away (D) 138 *Robt. Sterling* *C. Winniger*	One Night in Lisbon (D) 1287 *F. MacMurray*		Cyclone on Horseback (O) 185 *Tim Holt*	Bride Wore Crutches (C) 112 *Lynne Roberts*	Broadway Limited (C) *Vic. McLaglen* *M. Woodworth*	Tight Shoes (D) *Binnie Barnes* *Brod. Crawford*	Out of the Fog (D) 555 *John Garfield* *Ida Lupino*	The Gang's All Here (Mono.) Paper Bullets 125 (PRC)
June 20	Time Out for Rhythm (M) Hands Across the Rockies (O) 2215	The Big Store (C) 139 *Marx Bros.*	West Point Widow (D) 4030 *Anne Shirley*	Nevada City (O) 057 *Roy Rogers* *Gabby Hayes*	The Reluctant Dragon(Disney) 191	Man Hunt (D) 146 *Walter Pidgeon* *Joan Bennett*		Law of the Range (O) San Antonio Rose (O)	Passage from Hong Kong (D) 524 *Keith Douglas*	
June 27	Sweetheart of the Campus (M) Medico of Painted Springs (O) 2206	They Met in Bombay (D) 140 *Clark Gable* *Rosalind Russell*		Puddin' Head (C) 003 Kansas Cyclone (O) 078	Frank Buck's Jungle Cavalcade 166	A Very Young Lady (D) 145 *Jane Withers* *Nancy Kelly*		Hit the Road (D) *Dead End Kids* *Tough Guys*	Underground (D) 558 *Jeffrey Lynn* *Mona Maris*	Wanderers of the West (Mono.) Double Cross Criminals Within 111 (PRC)
July 4	I Was a Prisoner on Devil's Island (D) 2008	Barnacle Bill (D) *Wallace Beery* *Virginia Weidler*	Caught in the Draft (C) 4032 *Bob Hope* *Dorothy Lamour*	Gangs of Sonora (O) 068 3 *Mesquiteers*	Tom, Dick and Harry (C) 126 *Ginger Rogers* *George Murphy*	Moon Over Miami (M) 147 *Don Ameche* *Betty Grable*		Bachelor Daddy (C) *Baby Sandy* *E. E. Horton*	Kisses for Breakfast (C) 517 *Dennis Morgan*	Murder by Invitation (Mono.) Desperate Cargo D 113 (PRC)
July 11	Two in a Taxi (D) *Anita Louise* *Russell Hayden*	Navy, Blue and Gold (D) (Reissue) *James Stewart*		Mountain Moonlight (C) *Weaver Bros. & Elviry*	They Meet Again (D) 134 *Jean Hersholt* *Dorothy Lovett*	Accent on Love (D) 148 *Cobina Wright* *G. Montgomery*		Hello Sucker (C) *Hugh Herbert* *Tom Brown*	Bride Came C.O.D. (C) 507 *Bette Davis* *James Cagney*	Billy the Kid in Santa Fe 162 (PRC) *Tim McCoy*
July 18	Blondie in Society (C) Son of Davy Crockett (O)	The Stars Look Down (D) *Michael Redgrave* *M. Lockwood*	Forced Landing (D) *Richard Arlen* *Eva Gabor*	Sunset in Wyoming (O) 047 *Gene Autry* *Smiley Burnette*	The Vatican of Pius XII (March of Time) 55 mins.	Dance Hall (D) 149 *Cesar Romero* *Carole Landis*		Raiders of the Desert (D) 5056 *Arlen-Devine*	Bullets for O'Hara (D) 518 *Joan Perry*	City Limits Arizona Bound (Mono.) Gambling Daughters 114 (PRC)
July 25	Officer and the Lady (D) *Rochelle Hudson* *Roger Pryor*	Ringside Maisie (C) *Ann Sothern* *George Murphy*	Shepherd of the Hills (D) *John Wayne* *Betty Field*	Hurricane Smith (D) Ten Nights in a Bar Room (D)	Hurry, Charlie, Hurry (C) 129 *Leon Errol* *Mildred Coles*			This Woman Is Mine (D) *Franchot Tone* *Carol Bruce*	Bad Men of Missouri (O) 557 *Dennis Morgan* *Wayne Morris*	Rough Riders (Mono.) *Buck Jones* *Tim McCoy*
Aug. 1	Thunder Over the Prairie (O) *Chas. Starrett*	Life Begins for Andy Hardy (C) *Rooney-Garland*	Kiss the Boys Goodbye (M) *Mary Martin* *Don Ameche*	Rags to Riches (D) *Alan Baxter* *Mary Carlisle*	My Life With Caroline (C) 135 *Ronald Colman*			Cracked Nuts (C) *Stuart Erwin* *Una Merkel*	Three Sons O' Guns (O) 574 *Wayne Morris* *Tom Brown*	Bowery Blitzkrieg Deadly Game Fugitive Valley (Mono.)
Aug. 8	Ellery Queen and the Perfect Crime (D) *Ralph Bellamy*	Mary Names the Day (D) *Lew Ayres* *Laraine Day*	Wide Open Town (O) *William Boyd*				New Wine (M) *Ilona Massey* *Alan Curtis*	Hold That Ghost (C) *Abbott-Costello* *Andrew Sisters*	Manpower (D) 505 *Raft-Robinson* *Marlene Dietrich*	Dynamite Canyon (Mono.) *Tom Keene* *Evelyn Finley*
Aug. 15	Tilly the Toiler (C) *Kay Harris* *Will Tracy*	Blossoms in the Dust (D) *Greer Garson* *Walter Pidgeon*	Aloma of the South Seas (D) *Dorothy Lamour* *Jon Hall*							

[Dates Are Based on National Release Schedules and Are Subject to Change. This Chart Is Revised Weekly. Letters in Parentheses After Titles Denote the Following: (D) Drama, (M) Musical, (C) Comedy, (O) Outdoor Action. Production Numbers Follow Titles.]

PARAMOUNT Gives You FEATURE SHORTS with MARQUEE VALUE!

June 20-Gabby Color Cartoon 'FIRE CHEESE' (Technicolor)

June 27 Madcap Models 'HOOLA BOOLA' (Technicolor)

June 27 Animated Antics Cartoon 'TWINKLETOES WHERE HE GOES NOBODY KNOWS'

July 4 Magnacolor POPULAR SCIENCE No. 6

100% BOX OFFICE TESTED!

'Woman' Gets Big $36,000, Leads Boston

BOSTON, June 26.—"A Woman's Face" and "Broadway Limited" at Loew's Orpheum drew $20,000, and Loew's State did $16,000, a total of $36,000. "In the Navy," coupled with "A Very Young Lady," gave Keith's Merorial $21,300.

Estimated receipts for the week ending June 18-20:

"Penny Serenade" (Colo.)
"Model Wife" (Univ.)
KEITH BOSTON—(3,200) (28c-33c-44c) 7 days. Gross: $3,900. (Average, $8,000)
"In the Navy" (Univ.)
"A Very Young Lady" (20th-Fox)
KEITH MEMORIAL—(2,907) (28c-33c-44c-55c) 7 days. Gross: $21,300. (Average, $16,000)
"Caught in the Draft" (Para.)
"There's Magic in Music" (Para.)
METROPOLITAN — (4,367) (28c-39c-44c-55c) 7 days. (Average, $15,500)
"Devil Dogs of the Air" (20th-Fox)
"Affectionately Yours" (W.B.)
PARAMOUNT — (1,797) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $7,000. (Average. $7,500)
"Devil Dogs of the Air" (20th-Fox)
"Affectionately Yours" (W.B.)
FENWAY — (1,320) (28c-39c-44c-55c) 7 days, 2nd run. Gross: $3,100. (Average, $4,500)
"Blood and Sand" (20th-Fox)
"Cowboy and the Blonde" (20th-Fox)
SCOLLAY — (2,500) (28c-39c-44c-55c) 7 days. 3rd run. Gross: $3,100. (Average, $4,000)
"A Woman's Face" (M-G-M)
"Broadway Limited" (U.A.)
LOEW'S STATE — (3,000) (28c-33c-44c-55c) 7 days. Gross: $16,000. (Average, $12,000)
"A Woman's Face" (M-G-M)
"Broadway Limited" (U.A.)
LOEW'S ORPHEUM — (2,900) (28c-33c-44c-55c) 7 days. Gross: $20,000. (Average, $17,500)

Heat Too Much for Toronto Theatres

TORONTO, June 26. — "The Flame of New Orleans" attained the top figure in a slow week marked by blistering heat, with $8,500 at the Uptown.

Estimated receipts for the week ending June 21:

"Go West" (M-G-M)
"Washington Melodrama" (M-G-M)
IMPERIAL—(3,373) (18c-30c-42c-60c-90c) 6 days. Gross: $7,500. (Average, $9,000)
"Ziegfeld Girl" (M-G-M)
LOEW'S—(2,074) (18c-30c-42c-60c-78c) 6 days, 2nd week. Gross: $7,000. (Average, $9,000)
"Buck Privates" (Univ.)
"Knockout" (W. B.)
SHEA'S—(2,663) (18c-30c-48c-60c) 6 days. 11th week. Gross: $6,500. (Average, $7,500)
"That Hamilton Woman" (U. A.)
"Power Dive" (Para.)
TIVOLI—(1,434) (12c-30c-48c) 6 days. Gross: $2,500. (Average, $3,900)
"The Flame of New Orleans" (Univ.)
UPTOWN—(2,761) (18c-30c-42c-60c-90c) 6 days. Gross: $8,500. (Average, $9,000)

Canada to Continue Ban on 'Red' Films

Toronto, June 26.—Canadian provincial governments will continue their total ban on Soviet films, despite the fact that the outbreak of war between Russia and Germany has made the former a military ally of England.

The provincial authorities will follow the lead of the Federal Government, which has ruled that no change is to be made in the policy prohibiting Communist activities.

M-G-M Sets First Trade Shows Starting July 14

(*Continued from page* 1)

fer pictures on a sliding scale whereby our rental can increase only by an increase in gross receipts. For those who play largely on flat rental, our policy provides for a reasonable number of price brackets, and the designation of pictures to be played in each bracket will be based only on the performance of pictures in the territory in which the theatre is located, and not a national designation."

To perfect this plan, Rodgers recounted, home office executives, district and branch managers have spent several months making a complete study of every theatre and its individual problems in all territories.

Local Factors to Prevail

"Based on these findings," he said, "we propose to offer pictures on a basis that takes into account all the current requirements and conditions of each individual situation. We believe we have evolved an advanced method for merchandising that is the most equitable.

"We hope by this method to eliminate much of the barter heretofore existing in the buying of entertainment. In the ultimate, gross receipts will be the barometer for film rental paid for M-G-M pictures, whether the picture is played on percentage or flat rental," Rodgers said.

The M-G-M sales head declared that the company had scheduled its trade showings in 62 cities even though the consent decree requires the consenting distributors to hold such showings in only the 31 exchange centers, in order to encourage the exhibitors to see the pictures.

The first three M-G-M pictures to be trade shown are: "Lady Be Good," during the week of July 14; "Dr. Jekyll and Mr. Hyde," the week of July 21, and "Down in San Diego," the week of July 28.

List of Trade Shows

The following tabulation lists the trade showings scheduled by M-G-M, alphabetically arranged by exchange centers. In some cases, showings are scheduled in several cities within each exchange area. The three films to be trade-shown are designated in the listing below by letters: "A" indicates "Lady Be Good," "B" indicates "Dr. Jekyll and Mr. Hyde" and "C" indicates "Down in San Diego."

ALBANY—Paramount Theatre, "A", July 14; "B", July 21; "C", July 28.

ATLANTA—Rhodes Center, "A", July 16; "B", July 23; "C", July 30.
San Marco, Jacksonville, "A", July 14; "B", July 21; "C", July 28.
Belmont, Nashville, "A", July 18; "B", July 25; "C", Aug. 1.

BOSTON—Exeter Street. "A", July 15; "B", July 22, "C", July 29.

BUFFALO—Elmwood, "A", July 14; "B", July 21; "C", July 28.
Regent, Syracuse, "A", July 17; "B", July 24; "C", July 31.

CHARLOTTE—Dilworth, "A", July 14; "B", July 21; "C", July 28.
Five Points, Columbia, S. C., "A", July 15; "B", July 22; "C", July 29.
State, Asheville, N. C., "A", July 16; "B", July 23; "C", July 30.
Wayne, Goldsboro, N. C., "A", July 16; "B", July 23; "C", July 30.

CHICAGO—Studio, "A", July 15; "B", July 22; "C", July 29.
Madison, Peoria, "A", July 15; "B", July 22; "C", July 29.
Orpheum, Springfield, Ill., "A", July 15; "B", July 22; "C", July 29.

CINCINNATI—Orpheum, "A", July 14; "B", July 21; "C", July 28.
Capitol, Charleston, W. Va., "A", July 16; "B", July 23; "C", July 30.

CLEVELAND—Metropolitan, "A", July 15; "B", July 22; "C", July 29.
Uptown, Youngstown, "A", July 17; "B", July 24; "C", July 31.
Ohio, Toledo, "A", July 17; "B", July 24; "C", July 31.

DALLAS—Roswin, "A", July 14; "B", July 21; "C", July 28.
Texas, San Antonio, "A", July 16; "B", July 23; "C", July 30.
Broadway, Lubbock, Tex., "A", July 18; "B", July 25; "C", Aug. 1.

DENVER—Santa Fe, "A", July 15; "B", July 22; "C", July 29.

DES MOINES—Forest, "A", July 14; "B", July 21; "C", July 28.

DETROIT—Majestic, "A", July 14; "B", July 21; "C", July 28.
Michigan, Saginaw, Mich., "A", July 15; "B", July 22; "C", July 29.
Eastown, Grand Rapids, "A", July 16; "B", July 23; "C", July 30.

INDIANAPOLIS—Talbott, "A", July 14; "B", July 21; "C", July 28.
Crescent, Louisville, Ky., "A", July 15; "B", July 22; "C", July 29.

KANSAS CITY—Vogue, "A", July 14; "B", July 21; "C", July 28.
Uptown, Wichita, Kan., "A", July 15; "B", July 22; "C", July 29.

LOS ANGELES—Victoria, "A", July 14; "B", July 21; "C", July 28.

MEMPHIS—Palace, "A", July 14; "B", July 21; "C", July 28.
Prospect, Little Rock, Ark., "A", July 15; "B", July 22; "C", July 29.

MILWAUKEE—Varsity, "A", July 15; "B", July 22; "C", July 29.

MINNEAPOLIS—Park, "A", July 15; "B". July 22; "C", July 29.
State, Sioux Falls, S. D., "A", July 15; "B", July 22; "C", July 29.
Pillar, Valley City, N. D., "A", July 15; "B", July 22; "C", July 29.
West, Duluth, Minn., "A", July 15; "B", July 22; "C", July 29.

NEW HAVEN—Lawrence, "A", July 16; "B", July 23; "C", July 30.

NEW JERSEY—Cameo, "A", July 17; "B", July 24; "C", July 31.

NEW ORLEANS—Clabon, "A", July 14; "B", July 21; "C", July 28.
Ray, Jackson, Miss., "A", July 13; "B", July 20; "C", July 27.

NEW YORK—Astor, N. Y. C., "A", July 16; "B", July 23; "C", July 30.

OKLAHOMA CITY—Uptown, "A", July 14; "B", July 21; "C", July 28.
Majestic, Tulsa, "A", July 16; "B", July 23; "C", July 30.

OMAHA—Dundee, "A", July 14; "B", July 21; "C", July 28.

PHILADELPHIA—Aldine. "A", July 14; "B", July 21; "C", July 28.

PITTSBURGH—Rialto, "A", July 14; "B", July 21; "C", July 28.
Morgan, Morgantown. W. Va., "A", July 16; "B", July 23; "C", July 30.
Academy, Meadville, Pa., "A", July 16; "B", July 23; "C", July 30.
Rivoli, Altoona, "A", July 16; "B", July 23; "C", July 30.

PORTLAND, ORE.—Esquire, "A", July 16; "B", July 23; "C", July 30.

SALT LAKE CITY—Studio. "A", July 15; "B", July 22; "C", July 29.
Fox, Butte, Mont., "A", July 17; "B", July 24; "C", July 31.

SAN FRANCISCO—Alhambra. "A". July 15; "B", July 22; "C", July 29.

SEATTLE—Greenlake, "A", July 15; "B", July 22; "C", July 29.

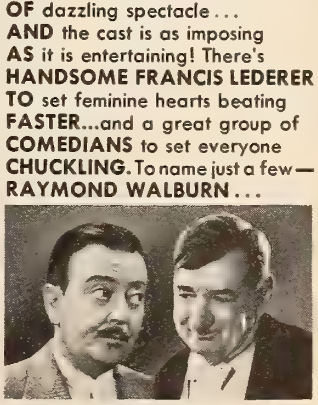
ST. LOUIS—Norside, "A", July 14; "B", July 21; "C", July 28.

WASHINGTON, D. C.—Circle, "A", July 16; "B", July 23; "C", July 30.
Park, Roanoke, Va., "A", July 16; "B", July 23; "C", July 30.
Rialto, Baltimore, Md., "A", July 17; "B", July 24; "C", July 31.
Capitol, Richmond, Va., "A", July 18; "B", July 25; "C", Aug. 1.

ANOTHER REPUBLIC FAN MAGAZINE AD

Hilarious Highlights from a BIG PICTURE

IS it laughter YOU'RE looking FOR? Are you KEEN for SOME swell SONG hits? ARE you READY, willing AND able to ENJOY a STAR-CROWDED COMEDY with music? THEN watch out for JUDY CANOVA IN her newest hit! IT'S called "PUDDIN' HEAD"— AND it's the grandest FUN that this sensational star HAS ever brought you!... JUDY sings—JUDY dances— JUDY gets HERSELF into MORE HILARIOUS SCRAPES THAN you CAN count! ...AND REPUBLIC has PROVIDED HER with a SETTING worthy of her EXTRAORDINARY talents! THERE'S a heart-warming STORY told against a background OF dazzling spectacle... AND the cast is as imposing AS it is entertaining! There's HANDSOME FRANCIS LEDERER TO set feminine hearts beating FASTER...and a great group of COMEDIANS to set everyone CHUCKLING. To name just a few— RAYMOND WALBURN...



SLIM SUMMERVILLE... EDDIE FOY, Jr...What a laugh LINE-UP! And what a picture! GET ready for fun now...with JUDY CANOVA in her newest and BEST—"PUDDIN' HEAD"...It's

A REPUBLIC PICTURE

NBC and CBS Ready for 'Go' On Television

(*Continued from page* 1)

expected to comprise approximately 30 per cent of the broadcast time, but film executives, feeling that commercial television is a source of competition to theatres, show no inclination to supply the medium with film material. Stock library films will be used for the most part, as well as documentary films, it is expected.

DuMont Plans Five Hours

DuMont, affiliated with Paramount, has tentative plans for up to five hours a week of film transmission.

Two reasons are assigned by executives for the slow approach to commercial television's start. One is the immediate problem of restricted manufacture of television sets and broadcasting equipment, because of national defense priorities. The other reason is the uncertainty of FCC moves.

The tentative lineup of the first week on NBC appears to follow the line of earlier exeprimental broadcasts. Afternoon and evening periods, starting at 2:30 and 9 P. M., are expected to fill the required 15 hours weekly. Between July 1 and July 7, at least four tennis matches, a baseball game and unspecified studio and film transmissions are understood to be on the schedule.

CBS Schedule

The CBS schedule, also indefinite, includes weekday broadcasts from 2:30 to 3:30, Monday through Friday, and 2 to 4 on Saturday. Evening programs will be from 8 to 9:30 Monday through Thursday, and 8 to 10 on Friday and Saturday. No Sunday programs are now planned.

Priorities No Worry, Television Men Told

Priorities will not be a serious bar to the development of commercial television, speakers stressed at a dinner forum of the American Television Society at the Hotel Astor last night.

Another point made was that television, because of its technique and other factors, will not be competitive to motion pictures, and the industry has no intention of competing with theatres.

William Morris, president of the talent agency bearing his name, said that the medium will open a big field for new talent which has matured since the decline of vaudeville.

Thomas Hutchinson, NBC television program manager, disclosed that the network's new call letters here will be WNBT. Solomon Sagall, head of Scophony, declared that the chief problem is that of programs.

Other speakers were Mortimer Loewi, vice-president of DuMont; J. R. Poppele, chief engineer of WOR; Dr. Paul Lazarsfeld of Columbia University, and Ira Hirschmann, vice-president of Bloomingdale's. Warren Caro, president of the Society, was chairman.

Dates Advanced for U. A. Final 3 Regional Meetings

(*Continued from page* 1)

held July 2 and 3, instead of July 7 and 8. Convention hotels have not been changed.

At Cincinnati Meeting

CINCINNATI, June 26.—The following United Artists executives and salesmen will attend the company's two-day regional meeting at the Netherland-Plaza Hotel here tomorrow and Saturday:

Arthur W. Kelly, Harry L. Gold and David E. Weshner, from the home office, and Bert Stearn, district manager. Also: Harris Dudelson, Cincinnati branch manager; James Mendel, Irving Sechin, J. Finberg and M. Blachschleger, salesmen; A. M. Goodman, Cleveland branch manager, Lou Geiger, Nat Levin, H. Leffert and L. Dowdell, salesmen; G. R. Frank, Indianapolis branch manager, E. V. Donnelly, M. M. Krueger, E. R. Golden and H. C. Hays, salesmen; Nat Beier, Pittsburgh manager, Harry Rees, William Scott, James H. Nash and Dave Brown, salesmen.

At Chicago Session

CHICAGO, June 26.—The following are scheduled to attend United Artists regional and Canadian sales conference at the Congress Hotel here Sunday and Monday:

Arthur W. Kelly, Haskell M. Masters, Harry D. Gold, Monroe Greenthal, David E. Weshner and Seymour Poe, from the home office; Charles Stern, J. D. Goldhar and Sam Glazer, district managers. Also: Ben Eisenberg, Chicago manager, J. E. Arngardt, Nat Nathanson, A. H. Fischer, William H. Levy, Morris Hellman and Frank Young, salesmen; Al Hoffman, Denver manager; P. C. Taylor, Fred P. Brown, Bern E. Marriner and George H. McCool, salesmen; M. Dudelson, Detroit manager; S. J. Bowman, L. Greenley, I. Weingarden and Ben Zimner, salesmen; W. E. Truog, Kansas City manager, John Graham, O. O. Flake, G. I. Bradford and J. M. Robertson, salesmen.

Also: J. S. Abrose, Milwaukee manager, M. Provencher, L. Weingarden, D. E. Gould and Abe Chapman, salesmen; R. S. Cramblet, Minneapolis manager, Frank Eisenberg, Caspar J. Couinard, Fordyce J. Kaiser, Howard C. Gould and Edward J. Steller, salesmen; D. V. McLucas, Omaha manager, J. E. Schlank, H. R. Barker, E. Restermundt, P. Monsky and Lee J. Dety, salesmen; Ben J. Robins, St. Louis manager, James Greig, E. A. Ashkins, Ray Wylie and Ray Curran, salesmen.

Also the following Canadian branch managers: A. Iscove, Calgary; C. S. Chaplin, Montreal; George Heiber, St. John; A. J. Jeffery, Toronto manager, and P. Myers and H. Kohen. Toronto; S. Nagler, Vancouver, and V. Rackow, Winnipeg manager, and J. N. Reid, Winnipeg.

Turner Realigns Field Staff of RKO

Terry Turner, supervisor RKO Radio exploiteers, has announced the realignment of the 16 representatives. The new district assignments covering this country and Canada are effective July 1. They follow:

Boston and New Haven, Harry W. Reiners; Buffalo and Albany, Ted Wynn; Philadelphia, Pittsburgh and Washington, Al Selig; Atlanta and Charlotte, Don Prince; Memphis and New Orleans, Fred Ford; Dallas and Oklahoma City, Bud Gray; Chicago and Milwaukee, Robert Hickey; St. Louis and Kansas City, Frank Cronin; Cleveland and Detroit, William Scholl; Cincinnati and Indianapolis, Edward Rivers; Omaha and Des Moines, James Boyle; Denver and Salt Lake City, T. Bidwell McCormick; Los Angeles and San Francisco, Charles Huy; Portland, Seattle and Vancouver, Doc Howe; Toronto and Montreal, George Degnon; Minneapolis, Sioux Falls, and Winnipeg, Henry Howard.

CBS Asks Permit For Local Station

WASHINGTON, June 26.—CBS has asked the FCC for a construction permit for a station to be built in New York to operate on the 60,000-66,000 kilocycle channel.

The commission also was asked to issue construction permits to the Central Broadcasting Co. for a new 1,240-kilocycle, 250-watt station at Wilkes-Barre, Pa., and the Tennessee Radio Corp., for a 1,240-kilocycle, 250-watt station at Nashville, Tenn.

AFRA-Mutual Peace Talks Set for Today

CINCINNATI, June 26.—Hurlburt Taft, Jr., general manager of WKRC here, and Emily Holt, national executive secretary of the American Federation of Radio Artists, will attend tomorrow's meeting in Chicago with Fred Weber, general manager of Mutual, and George Heller, AFRA executive.

The meeting, scheduled for the Drake Hotel, is designed to seek a means of forestalling a threatened strike against Mutual programs fed to the Cincinnati station, growing out of the current strike of AFRA against WKRC over a working agreement AFRA has set a July 7 deadline for the Mutual strike, unless the Cincinnati controversy is settled.

Meanwhile, Andrew J. Meyer, local Federal conciliator, has stepped into the controversy here, in an attempt to effect an agreement. The formation of a new independent union at the station has complicated peace moves.

Pa. Sunday Option Change Is Now Law

HARRISBURG, Pa., June 26.—Governor James has signed the bill amending the Sunday film local option referendum law so that signatures of 20 per cent instead of five per cent of the voters of the dominant party in the last general election are required to compel any municipality to submit the question of Sunday pictures to the ballot.

Argentina and Chile Ban 'Dictator,' 'Hall'

Argentina has banned the exhibition of "The Great Dictator" on representations made to the Government by German and Italian officials after the picture had been approved by the Buenos Aires council, according to information received here yesterday.

Chile has banned James Roosevelt's "Pastor Hall, also a United Artists release, under similar circumstances. Reasons given by both South American Governments were that the films "hurt the feelings" of "friendly" nations.

150 at M&P Circuit Outing Near Boston

BOSTON, June 26.—More than 150 of the staff of M. & P. Theatres and their guests held their annual outing at North Scituate, Mass., today. A banquet was held in the evening. In attendance were guests from New York and Philadelphia.

Numerous contests were held during the day at the beach, as well as sailing parties, golf, tennis and other sports. The annual softball game was held between employes of Standard Theatre Supplies, an M. & P. subsidiary, and circuit employes. The banquet was followed by dancing and the award of prizes of the afternoon events.

The sports committee, headed by Jerry Govan, included: Georgia Kelly, Nat Buckman, Joe Plunkett, Dan Seletsky and Tom Fermoyle. Henri Schwartzberg handled transportation; Hy Fine and Edna Burke were in charge of entertainment; Harry Browning and Ed Cantor arranged the prizes and Chester Stoddard was in charge of the events schedule.

Chicago Operator in Singles Experiment

CHICAGO, June 26.—In response to requests from many of their patrons, Schoenstadt and Sons' ace house, the Piccadilly Theatre, located in the exclusive Hyde Park district, is experimenting with single feature programs this week. At the same time, the Harper Theatre, two blocks away, controlled also by the Schoenstadts and charging a lower admission, is playing double features for two days with singles the following two days, in an effort to find which draws the most business.

Arthur Schoenstadt says it is not a matter of being definitely against double features or in favor of single features, but which brings in the greatest patronage.

Brandt Names ITOA Committee on Duals

Harry Brandt, New York ITOA president, yesterday named himself, Leo Brecher and Leon Rosenblatt as a committee authorized by the ITOA members to seek to negotiate an agreement with major circuits on the elimination of double bills.

Alert, Intelligent and Indispensable to the Motion Picture Industry

MOTION PICTURE DAILY

First in Film and Radio News Brief, Accurate and Impartial

L. 49. NO. 126 NEW YORK, U. S. A., MONDAY, JUNE 30, 1941 TEN CENTS

Approve KAO Finance Plan Of $8,000,000

Enables Consolidating With Parent Company

Keith-Albee-Orpheum's $8,000,000 refunding program was approved by the company's stockholders at a special meeting on Friday.

Loan agreements for $6,000,000 with Equitable Life Assurance Society of the U. S. and for $2,000,000 with a group of banks including Bankers Trust Co., Manufacturers Trust Co., Irving Trust Co., of New York, and the Security First National Bank of Los Angeles were consummated on Thursday.

The effect of the plan and of amendments to the K-A-O certificate of incorporation, which also were approved by the required two-thirds of the K-A-O stockholders, will be to permit the consolidation of the prin-

(*Continued on page* 6)

Ascap-Web Talks Seen Collapsing

Collapse of network negotiations with Ascap for a new licensing agreement was indicated over the weekend following the presentation by NBC of a counter offer embodying terms markedly lower than those contained in Ascap's proposed contract for the networks.

A somewhat similar counter offer was made to Ascap by CBS a week earlier and the music society's board promptly referred it to its legal committee, indicating unofficially at the same time that the proffered terms were not only unacceptable but were not regarded as having been made in good faith. Ascap declined to comment on the NBC offer but officials of the society indicated that the latest

(*Continued on page* 7)

Para. Will Reissue 'Ruggles' in July

Paramount will reissue "Ruggles of Red Gap," with Charles Laughton, for mid-Summer and prints will be in company exchanges by mid-July.

The reissue will not affect the company's Summer release schedule, according to Charles Reagan, assistant sales manager. All previously scheduled releases will be maintained.

NBC Has Only Commercial Television License at Start

WASHINGTON, June 29.—With the expected rush for commercial licenses failing to materialize, NBC will be the only television broadcaster authorized to send sponsored programs when the bell rings for the inauguration of commercial television on Tuesday.

FCC officials tonight explained that the NBC has been the only operator to put in the necessary papers for a commercial license and that other television stations have disclosed they will not ask for such licenses until some time in July or August.

[In New York, CBS and DuMont officials explained that their failure to have commercial licenses was technical, and caused by the lack of time to study the data submitted to the FCC. CBS will start telecasting tomorrow under a 30-day experimental license and expects to have its commercial license within the month. DuMont also plans to start experimentally tomorrow, if its transmitter is ready in time, and expects to receive commercial authorization shortly.]

CBS has not yet responded to the blanket invitation extended by the FCC to make application for commercialization and will operate under an experimental authorization issued at the network's request, it was said.

At the Commission it is believed that the stations are in no hurry to get

(*Continued on page* 7)

U. S. Expects Trial Of Crescent Case To Extend to Fall

The Government is fully prepared to begin trial of the first of its three anti-trust suits against regional circuits, that of the Crescent Amusement Co., in Federal court at Nashville next Monday, a Department of Justice spokesman said Friday in New York.

The Government spokesman estimated it would require six to eight weeks to try the Crescent suit and, pointing out that the Federal court at Nashville will adjourn for August, said he did not believe it would be possible to complete the case much before the end of September.

The tentative order of trial envisioned by the Government for its remaining actions following the Crescent trial is the Schine Circuit case at Buffalo, the suit against Columbia, United Artists and Universal in New York, and, lastly, the Griffith Circuit suit at Oklahoma City.

The Government spokesman said that complaints by independent exhibitors to the Department of Justice against affiliated theatre expansion have declined markedly in recent months. Most complaints were received from the West Coast and Midwest.

French Cool to Nazi Films: de Rochemont

The French like pictures with an anti-Nazi twist, and particularly popular are American films which, unnoticed by the censor, contain scenes uncomplimentary to their German masters, according to Richard de Rochemont, managing director of March of Time, who spent six weeks

(*Continued on page* 6)

Justice Department Reported Pleased With Handling of Industry Arbitration

Washington, June 29.—Department of Justice officials are represented in Government circles as well pleased over the way film industry disputes are being dealt with under the arbitration system set up under the Federal consent decree.

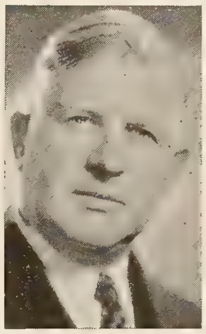
J. Noble Braden executive secretary of the American Arbitration Association, conferred with Assistant U. S. Attorney General Robert Wright, in charge of decree enforcement, on Friday, stopping over in Washington en route South.

There was no comment from either the Department or Braden on the meeting, but it is understood the discussion dealt merely with the manner in which arbitration is going along. So far as can be learned, there have been no complaints to the Department on arbitration, and officials are pleased at the speed with which complaints are being handled.

20th-Fox Will Sell Singles And in Groups

Flexible System for New Season, Wobber Reveals

HOLLYWOOD, June 29.—Individual pictures and groups of fewer than five will be sold by 20th Century-Fox in the new season, in addition to the blocks-of-five, Herman Wobber, general manager of distribution, disclosed here.


Herman Wobber

Indicating that the company's system will be flexible to meet varying situations, Wobber declared that, as an instance, three westerns on the schedule will be sold in a unit, as their incorporation in a five-block would not be acceptable to first runs which may want only the other two pictures.

Wobber said the first block will include "Private Nurse," first of a new

(*Continued on page* 6)

Para.'s New Films 'Tailored': Balaban

HOLLYWOOD, June 29.—"We believe we have a program for next season which is tailor-made for the new selling system," Barney Balaban, Paramount president, said here Friday before leaving for New York, after a week of product conferences with Y. Frank Freeman, vice-president in charge of production, and other studio executives.

The conferences, which ran as long as 12 and 14 hours a day, covered all general operating problems which had arisen since the executive meeting in

(*Continued on page* 6)

'Insuremanship'

Robert Weitman, managing director of the Paramount Theatre on Broadway, coins a new box-office phrase. See Page 5.

Loew's Cuts Prices For Uniformed Men

Loew's Theatres throughout the country will offer all men in uniform, in service with the Army, Navy or Air Corps, reduced prices on all film admission tickets, it was announced Friday by Nicholas M. Schenck, president of Loew's, Inc.

York's Commander To Attend Premiere

General Duncan, who commanded the 82nd American Division in France when Sergeant Alvin C. York captured 132 German soldiers in the World War, will accompany York when he arrives here tomorrow for the opening of Warners' "Sergeant York" at the Astor Theatre Wednesday evening.

Gov. Prentice Cooper of Tennessee will arrive on Wednesday to attend the opening. York is expected to remain here four or five days. He will be greeted on arrival by the Veterans of Foreign Wars, be a guest on the "We, the People" program tomorrow evening, on Thursday will be the guest of the Tennessee Society at the Bankers Club, and on Friday, July 4, is expected to address the annual convention of the VFW at Saratoga.

An elaborate campaign for the two-a-day engagement of the film has been executed by S. Charles Einfeld, director of Warner advertising and publicity, and Mort Blumenstock, department head in the East. Numerous tieups have been arranged with such patriotic organizations as the American Legion, Veterans of Foreign Wars and the like.

Distinguished visitors from Washington also are expected to attend the opening, at which will be Harry M. Warner, president of the company, and Jesse L. Lasky, who produced the film in collaboration with Hal B. Wallis.

U. S. Seeks Writs On Ticket Brokers

Jesse Moss, Assistant U. S. Attorney, on Friday filed an injunction action in Federal district court against 22 New York City ticket brokers, alleging violation of the Federal law by failing to record on tickets the prices at which such tickets are sold.

Moss, who is in charge of enforcing amusement tax laws here, said the law requires brokers to stamp the price on the ticket and to pay 10 per cent of the stated amount in the form of tax.

Brokers named were: Acme, Alexander's, George J. Bascom Co., Louis Cohen, Joe Deutsch, Joey Gold, Hollywood, Sussman, Park, Rialto Theatre Ticket Service, Newstand, Jacob's, Grand Central, Leblang - Gray's, Naughton's, Louis Newman, Faber & Sutton, City Theatre Ticket Co., Gramsby, Mackey's, Saul Subber and Supreme.

Selden Joins M-G-M

HOLLYWOOD, June 29.—Walter Selden of the Hollywood staff of *Motion Picture Herald* tomorrow will join the M-G-M shorts department writing staff.

Personal Mention

ADOLPH ZUKOR, RUSSELL HOLMAN and PAUL RAIBOURN are scheduled to arrive from the Coast today. JOHN W. HICKS is remaining in Hollywood a few additional days.

•

SIDNEY R. KENT has left for the Thousand Islands.

•

HAROLD ROBB and E. H. ROWLEY of the Robb & Rowley Circuit, Dallas, left here over the week-end after a visit at the Paramount home office.

•

KEN ANESER of the Warner home office advertising department returns today from a vacation.

•

JAMES HALE, chairman of the activities committee of the Columbus Variety Club, has been elected president of the Marietta University Alumni Association.

•

KENNETH THOMSON, executive secretary of the Screen Actors Guild, has returned to the Coast after a New York visit.

CHARLES SKOURAS, head of Fox West Coast Theatres, and his assistant, Andy Krappman, have returned to the Coast from New York.

•

WILL H. HAYS is scheduled to leave for the Coast tonight or tomorrow.

•

WILLIAM C. GEHRING, Central division manager for 20th Century-Fox, returns today from the Midwest.

•

MAURICE SHULMAN, one of the operators of the Webster and Rivoli, Hartford, and Plaza, Windsor, Conn., and RUTH GOLDBERG, former RKO cashier at New Haven, have been married.

•

JAMES BRACKEN, Warner Theatre department executive in the New Haven zone, leaves for vacation Thursday.

•

LOU SCHAEFER, manager of the Paramount Theatre, New Haven, has returned from a visit to his son at Camp Blanding, Ga., and stops at Jacksonville and Palm Beach.

Otto Kanturek Dies In Plane Accident

LONDON, June 29.—Otto Kanturek, 20th Century-Fox director-cameraman, was killed with an assistant, Jack Parry, and a British pilot when the plane in which he was making shots for "A Yank in the RAF" crashed near here Friday. A native of Vienna, he worked with various newsreels abroad and for Alexander Korda, Erich Pommer and other producers on the Continent and in England. He was placed under contract to 20th Century-Fox a year ago and became an American citizen. He leaves his wife and a one-year-old child in the United States.

Services Are Held For Sidney Wilmer

Services for Sidney Wilmer, 64, president of the Wilmer & Vincent circuit, who died last Wednesday, were held Friday at the Little Church Around the Corner. Cremation followed at Fresh Pond Crematory on Long Island. The circuit's offices were closed Friday in respect to Mr. Wilmer.

Former Breen Aide Now RKO Producer

HOLLYWOOD, June 29.—Islin Auster, formerly assistant to Joseph I. Breen when the latter was director of the Production Code Administration, has been made an associate producer at RKO.

Futter Talk to Yachtsmen

In the interests of civil defense Walter Futter has been asked to make a talk on the use of private yachts during the evacuation of Dunkirk before yacht owners at the Travers Island Yacht Club of The New York Athletic Club tomorrow evening.

Mexican Writers Unite

MEXICO CITY, June 29.—Mexican picture scenarists have organized and become affiliated with the National Cinematographic Workers and Dramatic Authors Unions.

Otterson Will Head Ship Repair Work

John E. Otterson, at one time president of Erpi, and later president of Paramount, has been appointed by Secretary of the Navy Knox and Rear Admiral Emory S. Land, Maritime Commission chairman, as Coordinator of Ship Repair and Conversion.

Otterson was graduated from the U. S. Naval Academy in 1904 and served for 15 years in the Navy. When he left Paramount, he headed a new company, Radio Wire Television Corp. of America, from which he withdrew in 1939. In his new post he will have charge of the allocation of ship repair work to various shipyards in the country.

Third Complaint Is Filed in New Haven

NEW HAVEN, June 29.—The third arbitration complaint at the local board has been filed here by Fred Quatrano, owner of the New Newington Theatre, which is under construction at Newington, Conn., and names all five consenting companies.

The complaint sets forth that the distributors have offered the new theatre product to play 30 days after New Britain, Conn. Quatrano asserts that such clearance would be "detrimental and ruinous" to his business and asks that New Britain's clearance be limited to seven days. The Strand and Embassy, New Britain, are named as interested parties.

Halt Buffalo Theatre

BUFFALO, June 29.—Informed that a marquee and vault had been constructed for Basil Brothers' Apollo without a required permit from the city, the Common Council Legislative Committee declined to approve the work pending further investigation.

Alliance Releases 2

Budd Rogers, vice-president and general manager of Alliance Films Corp., has set June 30 release date for "The Terror" and "Mystery of Room 13," Edgar Wallace mysteries.

Partial Blackout in Ottawa Cuts Picture Business Sharply

By TOM TURNER

OTTAWA, June 29.—Although only five theatres were in the 25-square-mile area of the city affected by a blackout staged here Thursday night, all managers reported the present [illegible] wave and public curiosity about [illegible] air raid precaution test kept attendance far below average.

The houses affected were the Avalon, Mayfair, Columbia, Nola and Victoria, which switched out all marquee lights and others normally visible from the street.

Air raid precautions squads have been organized by theatre managers and those of theatres in the blackout area stood in readiness in case of emergencies during the blackout period, 15 minutes starting at 10:30 P. M. A total blackout of the entire city of Ottawa has been tentatively scheduled for the Fall.

The pilot of an observation plane which flew over the area reported the blackout complete. No accidents were reported to blackout control headquarters.

CEA to Discuss British Council

LONDON, June 29.—It now appears certain that the proposal for a British film industry emergency council will be discussed at the Cinematograph Exhibitors Association general council meeting in July. The Manchester exhibitor group has adopted a resolution urging that the CEA act on the proposal and approach the Kinematograph Renters Society and others for a discussion of its formation. Other local groups are believed certain to support the move.

Peppiatt New U. A. Southern Manager

NEW ORLEANS, June 29.—C. E. Peppiatt, United Artists branch manager here, has been appointed Southern division manager. Joseph Moreland, office manager and booker at the local exchange, has been named branch manager succeeding him.

MOTION PICTURE
DAILY
(Registered U. S. Patent Office)

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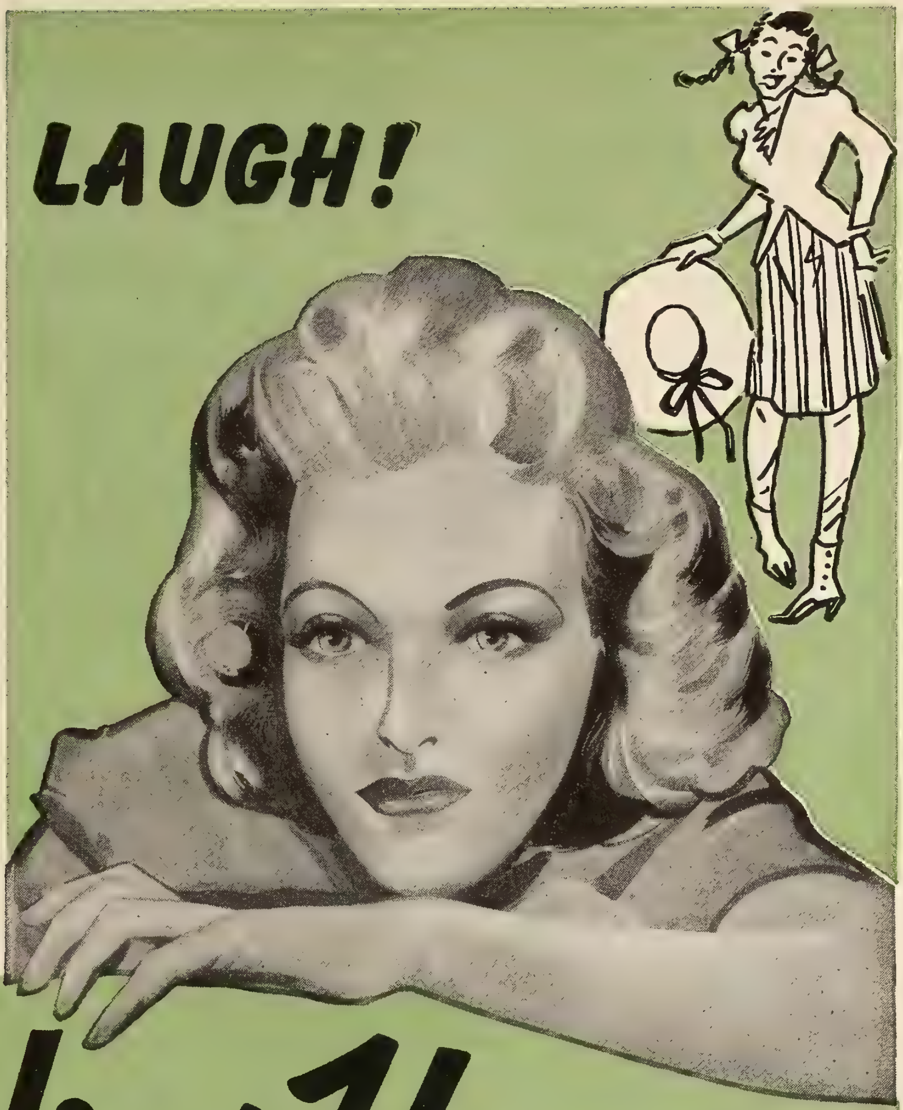
ONE LONG LAUGH!

Funnier than "Scatterbrain" . . . gayer than "Sis Hopkins" . . . here is the summer show that will make your theatre a crowded vacationland.



Puddin' Head

JUDY CANOVA
FRANCIS LEDERER

Raymond Walburn • "Slim" Summerville
Eddie Foy, Jr. • Astrid Allwyn
Alma Kruger • Hugh O'Connell
"Chick" Chandler
Joseph Santley—Director
Screen play by Jack Townley and Milt Gross
Original story by Jack Townley

A REPUBLIC PICTURE

'Lisbon' with Miller's Band $45,000, Loop

CHICAGO, June 29.—"One Night in Lisbon," with Glen Miller and his band on the stage, drew a strong $45,000 at the Chicago Theatre. "In the Navy" and "Tight Shoes" drew well, with $16,000 in the second week at the Palace.

Estimated receipts for week ending June 19:

"A Woman's Face" (M-G-M)
APOLLO—(1,400) (35c-55c-65c-75c) 7 days. Gross: $5,000.
"One Night in Lisbon" (Para.)
CHICAGO—(4,000) (35c-55c-75c) 7 days. Stage—Glen Miller band. Gross: $45,000. (Average, $32,000)
"I Wanted Wings" (Para.)
GARRICK—(1,000) (35c-55c-75c) 7 days. Gross: $4,200. (Average, $5,000)
"The Sea Wolf" (W. B.)
"Devil and Miss Jones" (RKO)
ORIENTAL—(3,200) (25c-40c) 7 days. Gross: $7,000. (Average, $9,000)
"In the Navy" (Univ.)
"Tight Shoes" (Univ.)
PALACE—(2,500) (30c-40c-60c) 7 days, 2nd week. Gross: $16,000. (Average, $13,000)
"Blood and Sand" (20th-Fox)
ROOSEVELT—(1,500) (35c-55c-75c) 7 days, 3rd week. Gross: $9,000. (Average, $11,000)
"A Girl, A Guy and a Gob" (RKO)
STATE-LAKE—(3,700) (25c-40c) 7 days. Stage—Ted Fio-Rito Band. Gross: $16.500. (Average, $15,000)
"Men of Boys Town" (M-G-M)
UNITED ARTISTS—(1,700) (35c-55c-75c) 6 days. Gross: $17,500. (Average, $14,000)
"Citizen Kane" (RKO)
WOODS—(1,100) (75c-$1.10-$1.65) 7 days, 6th week. Gross: $8,500.

'Baby' Milwaukee Leader at $6,700

MILWAUKEE, June 29.—Best bill in a dull week was "Million Dollar Baby" and "Devil Dogs of the Air" which collected $6,700 at the Warner. "One Night in Lisbon" and "Reaching for the Sun" drew $4,600 at the Palace.

Estimated receipts for the week ending June 19:

"One Night in Lisbon" (Para.)
"Reaching for the Sun" (Para.)
PALACE—(2,400) (33c-44c-55c) 9 days. Gross: $4.600. (Average, $4,000)
"Too Many Blondes" (Univ.)
RIVERSIDE—(2,700) (33c-44c-55c) 7 days. Vaudeville. Gross: $6,500. (Average, $6,500)
"Blood and Sand" (20th-Fox)
"I Wanted Wings" (Para.)
STRAND—(1,400) (33c-44c-55c) 9 days. Gross: $2,700. (Average, $1,500)
"Million Dollar Baby" (W. B.)
"Devil Dogs of the Air" (W. B.)
WARNER—(2,400) (30c-40c-55c) 7 days. Gross: $6.700. (Average, $4,500)
"Billy the Kid" (M-G-M)
"Washington Melodrama" (M-G-M)
WISCONSIN—(3,200) (33c-44c-55c) 9 days. Gross: $5,500. (Average, $5,500)

'Devil Dogs' Pulls Nice $5,200 Omaha

OMAHA, June 29. — A reissue, "Devil Dogs of the Air," was the town's best, with $5,200 at the Brandeis.

Estimated receipts for the week ending June 19-20:

"Devil Dogs of the Air" (W. B.)
"Sis Hopkins" (Rep.)
BRANDEIS—(1,200) (30c-40c-44c) 7 days. Gross: $5,200. (Average, $4.000)
"Billy the Kid" (M-G-M)
"The Penalty" (M-G-M)
OMAHA—(2,000) (30c-44c) 7 days. Gross: $7,100. (Average, $6,000)
"So Ends Our Night" (U. A.)
"The Man Who Lost Himself" (Univ.)
ORPHEUM—(3,000) (30c-44c) 7 days. Gross: $6,800. (Average, $7,200)

Feature Reviews

"Blondie in Society"

(Colombia)

Hollywood, June 29

COLUMBIA'S "Blondie in Society" carries the high quality standard of entertainment that has marked the predecessors in the popular series, and has an added audience attraction in the use of a dog show in which the fortunes of the Bumpstead family are at stake. The events are hilariously staged, and the resultant effect is good, clean, homey fun of universal appeal.

The cast regulars, Penny Singleton, Arthur Lake, Larry Sims, Jonathan Hale, Danny Mummer, Irving Bacon and "Daisy," the dog, are augmented by William Frawley, Edgar Kennedy, Chick Chandler, Bill Goodwin, and the Robert Mitchell Boys Choir.

The production-direction team of Robert Sparks and Frank R. Strayer, who have combined activities on all the other films in the series, hit a new high in "Blondie in Society," the plot of which deals with Dagwood's taking a Great Dane in lieu of payment of a $50 loan. The dog manages to tangle up the affairs of the Bumpsteads to such an extent that Dagwood's job is at stake, his home life is threatened with divorce, and a contract with the company he works for is imperilled.

A press audience in a Columbia studio projection room didn't need any cues for their laughs.

Running time, 77 minutes. "G."* VANCE KING

"Murder by Invitation"

(Monogram)

Hollywood, June 29

MONOGRAM'S "Murder by Invitation" is a murder mystery farce which joshes even itself while unfolding a tale of an old mansion with secret panels and mysterious passageways, disappearing and reappearing corpses, and a bunch of frightened persons, some of whom have plotted to obtain the money of an elderly woman to whom they are related.

Wallace Ford, as a newspaper columnist; Marian Marsh, making a screen return, and Sarah Padden, are the principal players, Miss Padden doing marvelously well with the role of the woman whose relatives attempt to have her declared insane. Others in the cast include George Guhl, Gavin Gordin, Wallis Clark, Minerva Urecal, J. Arthur Young.

A comparatively well made film, it fits in satisfactorily with its program classification. The vying of the gruesomeness and the farce for audience attention is a possible exploitation campaign base.

Phil Rosen directed and A. W. Hackel produced the film.

Running time, 67 minutes. "G."* VANCE KING

"For Beauty's Sake"

(20th Century-Fox)

TREATING jocularly murder and blackmail, "For Beauty's Sake" is bright and light material containing some witty dialogue of the quick-comeback variety, effectively delivered by Ned Sparks, Marjorie Weaver, Ted North and Joan Davis.

A favorable reaction was evidenced at the Brooklyn Albee. Most of the humorous lines were greeted with laughs and the film on the whole seemed to please those present. Where not too much is expected of it, "For Beauty's Sake" should fill the bill well enough.

The story has to do with a young associate professor who is bequeathed a beauty salon on the condition that he operate it. Attempts to blackmail the patrons and wrest the salon from the new owner form the plot thereafter.

Running time, 60 minutes. "G."*

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*"G" *denotes general classification.*

Wis. Outdoor Spots Are Using Pictures

MILWAUKEE, June 29.—Even outdoor attractions in several situations in this area are bolstering their programs with films. At Fish Creek, the Peninsula Players will present for the first time this year pictures at their outdoor theatre in addition to plays.

Plays will be presented Thursday, Friday and Saturday of each week, starting July 3 and ending Aug. 31, and on Sunday, Monday, Tuesday and Wednesday nights films will be shown with the two program changes each week. At Waukesha Beach, popular amusement park west of Milwaukee, free talking pictures are shown every Friday night.

'Navy' Pittsburgh Tally Hits $7,200

PITTSBURGH, June 29. — "In the Navy" scored well with $7,200 at the Fulton. "The People vs. Dr. Kildare," aided by Guy Lombardo's orchestra on the Stanley stage, drew $20,500.

Estimated receipts for the week ending June 19:

"In the Navy" (Univ.)
FULTON—(1,700) (25c-40c) 7 days, week. Gross: $7,200. (Average, $5,200)
"One Night in Lisbon" (Para.)
PENN — (3,452) (25c-35c-50c) 7 days. Gross: $10,500. (Average, $13,500)
"Las Vegas Nights" (Para.)
"The Round-up" (Para.)
RITZ—(800) (25c-40c) 7 days. Gross: $2,500. (Average, $3,800)
"She Knew All the Answers" (Col.)
SENATOR—(1,750) (25c-35c-50c) 7 days. Gross: $3,500. (Average, $5,200)
"People vs. Dr. Kildare (M-G-M)
STANLEY—(3,752) (25c-40c-60c) 7 days. Guy Lombardo's band on stage. Gross: $20.500. (Average, $18,000)
"Billy the Kid" (M-G-M)
WARNER—(1,980) (25c-35c-50c) 7 days, 2nd week. Gross: $5.000. (Average, $4.500)

'Lisbon' Pulls Neat $8,500, Providence

PROVIDENCE, June 29.—"One Night in Lisbon" and "The Monster and the Girl," paired at the Strand, took $8,500.

Estimated receipts for the week ending June 18-19:

"Billy the Kid" (M-G-M)
"Broadway Limited" (U. A.)
LOEW'S STATE—(3,232) (28c-39c-50c) 7 days. Gross: $11,500. (Average, $11,000)
"Blood and Sand" (20th-Fox)
"For Beauty's Sake" (20th-Fox)
MAJESTIC—(2,250) (28c-39c-50c) 7 days. Gross: $6,500. (Average, $7,000)
"One Night in Lisbon" (Para.)
"The Monster and the Girl" (Para.)
STRAND—(2,200) (28c-39c-50c) 7 days. Gross: $8,500. (Average, $6.000)
"The Last Mile" (Tiffany) (re-issue)
"Too Many Blondes" (Univ.)
FAY'S—(1,800) (15c-25c-36c) 7 days. Gross: $1,800. (Average, $2,800)
"In the Navy" (Univ.)
"Scotland Yard" (20th-Fox)
CARLTON—(1,526) (28c-39c-50c) 7 days. 3rd week. Gross: $3,500. (Average, $3,500)
"Sis Hopkins" (Rep.) (3 days)
"The Roundup" (Para.) (3 days)
"Meet John Doe" (W. B.) (4 days)
"They Met in Argentina" (RKO) (4 days)
EMPIRE—(1,200) (20c-28c) 2nd run Gross: $1,700. (Average, $1,700)

'Navy' at $12,500 Cincinnati's Best

CINCINNATI, June 29. — "In the Navy" gave the RKO Palace a nice $12,500. "Sunny" pulled $12,000 at the RKO Albee, and "Devil Dogs of the Air" had a $4,900 week at Keith's.

Estimated receipts for the week ending June 17-21:

"Sunny" (RKO)
RKO ALBEE—(3,300) (33c-40c-50c) 7 days. Gross: $12.000. (Average, $12,000)
"In the Navy" (Univ.)
RKO PALACE—(2,700) (33c-40c-50c) 7 days. Gross: $12.500. (Average, $10,000)
"Meet John Doe" (Univ.)
RKO CAPITOL—(2,000) (33c-40c-50c) 7 days, 2nd week. Gross: $3,200. (Average, $5,500)
"Broadway Limited" (U. A.)
RKO GRAND—(1.500) (3c-40c-50c) 7 days. Gross: $4,300. (Average, $5.000)
"Love Crazy" (M-G-M)
RKO LYRIC—(1.400) (28c-33c-42c) 7 days, 4th week. Gross: $4.000. (Average, $4,500)
"King of the Zombies" (Mono.)
"Under Age" (Col.)
RKO FAMILY—(1,000) (15c-28c) 4 days. Gross: $1,100. (Average, $1,200)
"Naval Academy" (Col.)
"Missing Ten Days" (Col.)
RKO FAMILY—(1,000) (15c-28c) 3 days. Gross: $800. (Average, $800)
"Devil Dogs of the Air" (W. B.)
KEITH'S—(1,500) (33c-40c-50c) 7 days. Gross: $4.900. (Average. $5.000)

Fox Institutional Campaign in Wis.

Milwaukee, June 29.—Fox is promoting "entertainment week" in various cities around the state and tieing in other merchants on cooperative newspaper advertising. "Don't let the blues get you down. Now's the time for every real American to be cheerful, light-hearted, carefree," is the theme of advertising being carried in this promotion.

Independent Studios Oppose Singles Drive

HOLLYWOOD, June 29.—The Independent Motion Picture Producers Association, long dormant, has been revived to campaign against the movement for single features and plans to enlist the assistance of unions and guilds whose members work in their productions. Sixteen independent companies are represented.

[The Pacific Coast Conference of Independent Theatre Owners in Los Angeles and the New York ITOA have revived moves to eliminate double features. The Coast organization has held conferences with a few producers on the matter.]

Another aim of the revived independents' association, which renamed I. E. Chadwick president, is the simplification of collective bargaining with the unions. Other officers named were William Hackel and Lindsley Parsons, vice-presidents, and Edward Finney secretary-treasurer.

Reserve Decision On Buffalo Games

BUFFALO, June 29.—Justice David Diamond in Supreme Court has reserved decision on injunctions to restrain police from interfering with chance games at the Old Vienna, Academy and Richter's Theatres. Opposing counsel were directed to file briefs.

Clayton M. Smith, counsel for Old Vienna, called 'bingo' as played at that theatre was not criminal under the law, because it was free. Charles J. McDonough, representing the Academy, and Morris Lipsitz, retained by Richters, contended irreparable damage would be worked on the theatres were the police to continue interference, pending the outcome of their trials in September on charges of conducting illegal lotteries.

Para. Employes Ask SPG Reinstatement

Six publicity employes of Paramount on Friday issued a statement saying that they had petitioned the Screen Publicists Guild for reinstatement as members and that they would vote for the Guild in the NLRB bargaining election July 9. The group left the Guild in May, 1940, stating at the time that they objected to the officers' anti-democratic procedure. The group includes Jonas Arnold, Budd Getschal, Adolph Silverstein, Bernard Lewis, Paula Weiss Fraser and Paul White.

Local 'Insuremanship' Best Policy for Theatre: Weitman

By SAM SHAIN

Bob Weitman says it is wiser to employ means for satisfying customers while business is good—than to wait until business at the box-office declines before developing methods for enticing trade into the theatre. "It is easier to continue a successful structure than to rehabilitate a failing or declining business," he says.

Weitman, the lad who conceived and established and has since managed and supervised the uninterruptedly successful stage-show policy at the Paramount Theatre, the company's ace show-window on Broadway, has devised a term for this belief of his—it is "Insuremanship."

Tackle Problems Locally

To Weitman, all the lads and lassies who so eagerly chatter about a national antidote for bad business are merely enunciating personal alibis for bad local conditions. The way to improve bad business is to isolate your problems and tackle it in the local region. It's the local geniuses who must repair their fences in their own back yards, and if they do this, the all-over national picture will be okay, Weitman firmly believes.

In all his experience as a theatre manager—and he came up from the bottom of the ladder—he has not found it necessary to write or refer to multi-page manuals—which he calls *omnibook alibis*. His longest composition on operations hasn't run over seven pages.

Simple Way Best

"It's the simple way—that's the best way," Weitman says.

"Barring bad weather or depression conditions, showmanly all-out advertising and publicity can give almost any good show a good opening. After that it's up to the show itself," he states. This is practically a slogan with him.

"You can't sell shows like cigarettes or as automobile companies sell cars—but only as entertainment.

"After all is said and done, it's the show itself that draws the business. A bad show will die even after good advertising—because such a show can only expect a good opening from its advertising. After that the show must carry its own trade. But good openings are vital and necessary and that's where showmanly advertising comes in to count. All shows must be advertised. However, a good show will build if given the proper support.

Explains 'Insuremanship'

"The in-between show—the one which gets only so-so critical appraisement and which does not have strong, top name draw—is a show which can be helped, by what I call 'Insuremanship.'

"The Paramount Theatre policy is the best way to prove what 'Insuremanship' means.

"We have made thousands of patrons Paramount Theatre conscious. We have helped to get them in the frame of mind that brings them to the Paramount Theatre week after week because they know that they will enjoy the shows here. In short, we have sold the theatre to the patrons. We have 'personalized' the theatre and made it 'saleable.'

"The uninterrupted five-year success of the theatre is due to this policy, which only could have been executed with the wise counsel and help of the Paramount company's chief executives. Their judgment has ruled the policy—so they know the answers, better than I do."

Weitman cites the following factors as responsible for the Paramount Theatre's so-called "personality."

(a) The youngsters like the name-band policy of the house.

(b) The older clientele and evening customers like the "in person" stage stars.

(c) Organ sing-fests with the show are enjoyed by a combination large group of all types of customers.

(d) The rich and luxurious surroundings of the theatre always kept in high gear impress the customers.

(e) Many of the customers enjoy the "Popeye cartoons," newsreels and short subjects.

(f) Otherwise and generally — although possibly not visual, perhaps—but still an integral factor in the success of the theatre—is its staff; the accordion and piano music in the lobby, the beautiful rest rooms, the television machine, the juke-box entertainment in the lobby, the comfortable seating, the perfect projection and sound facilities—because, a customer can see and hear from every seat; the air conditioning, and the central and glamorous Times Square location of the theatre.

"Our fundamental thought," Weitman says, "is that a theatre must be dramatized into that which it is selling—but in a better and more emphatic manner than our competition."

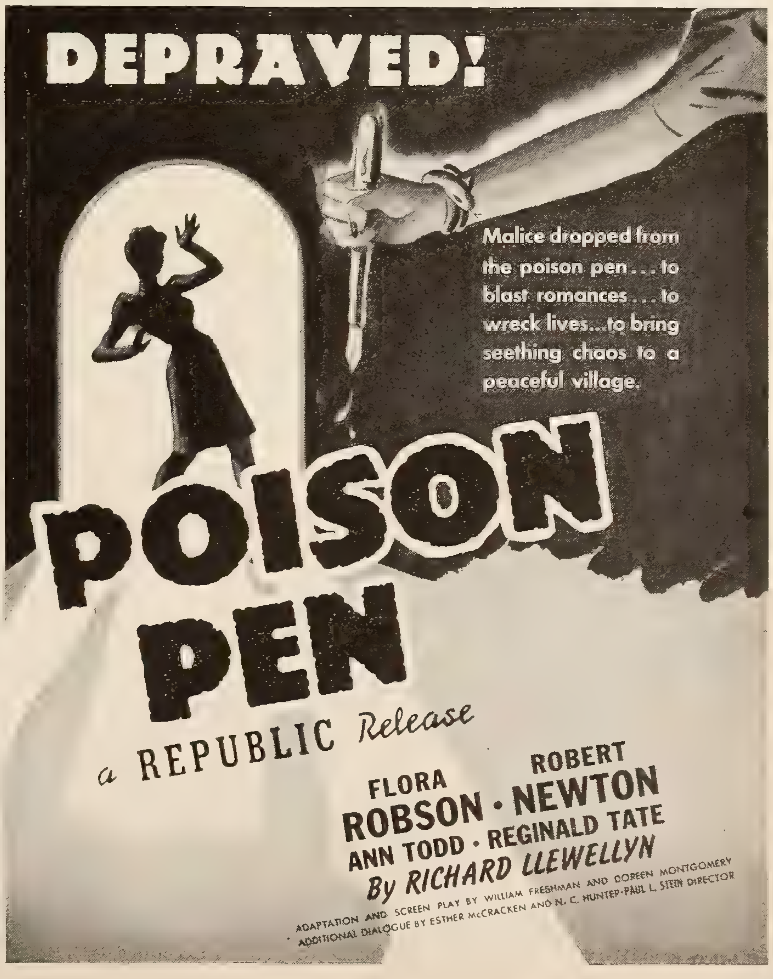
Decree Won't Work Out, Hayman States

BUFFALO, June 29.—Sharply critical of the Federal consent decree, A. C. Hayman, president of the MPTO of Western New York and a director of MPTOA, said today "the decree is going to work out for the exhibitor like the Boston tea tax."

Hayman declared he "can not believe that the Government will permit this thing to stand when its workings are demonstrated."

"Certainly, the Government is keeping an alert eye on the motion picture business," he observed. "When I entered into a pooling operation with the Shea interests on our Niagara Falls theatres, Thurman Arnold wrote to inquire if the agreement was voluntary. It was, of course. But that just goes to show that the Government is not sleeping."

Hayman said the decree takes away from the exhibitor "some of the saving recourses of the past and gives the producer-distributor new advantages."


DEPRAVED!
Malice dropped from the poison pen . . . to blast romances . . . to wreck lives . . . to bring seething chaos to a peaceful village.
POISON PEN
a REPUBLIC Release
FLORA ROBSON · ROBERT NEWTON
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By RICHARD LLEWELLYN
ADAPTATION AND SCREEN PLAY BY WILLIAM FRESHMAN AND DOREEN MONTGOMERY
ADDITIONAL DIALOGUE BY ESTHER McCRACKEN AND N. C. HUNTER-PAUL L. STEIN DIRECTOR

Approve KAO Finance Plan Of $8,000,000

(*Continued from page* 1)

cipal RKO theatre subsidiaries with the parent company.

In addition, it will permit payment of the accrued dividends on the outstanding K-A-O preferred stock, the ultimate retirement of all of that issue and, thereby, will regain company and board control for the common stock, substantially all of which is owned by RKO. Resumption of common stock dividends by the theatre subsidiaries, which have been suspended for years while the preferred dividends have been in arrears, also is made possible.

Atlas Option Ends Today

The Atlas Corp. option on the remaining 21,000 shares of K-A-O preferred held by M. J. Meehan will be exercised today, the last day of the option term. Atlas will tender the shares, together with approximately 7,000 shares acquired from Meehan earlier, to RKO at the option price of $114.25 per share. RKO, in turn, will tender the shares, together with 21,761 shares of K-A-O preferred which it holds, to K-A-O at $65 per share. The lower price represents the average cost to RKO of the shares purchased by it together with those it owns, for which it will receive $65 per share from K-A-O.

Pay $15.75 on Preferred

There will remain oustanding 15,000 shares of K-A-O preferred, on which K-A-O will immediately pay the accrued dividends of $15.75 per share. Payment of the accrued dividends on the preferred will renew the common stock's right to elect a majority of the K-A-O board, a right it lost in 1934 after three consecutive preferred dividends had been passed. A sinking fund provision also contemplates the ultimate retirement of the 15,000 shares of preferred remaining outstanding, thus clearing the way for the resumption of common dividends exclusively.

The $6,000,000 Equitable loan will be secured by a like amount of 4¼ per cent first mortage bonds, maturing in 1954, of a new consolidated company comprised of B. F. Keith Corp. and Greater New York Vaudeville Theatres Corp. The $2,000,000 bank loan will be secured by all of the capital stock and $1,400,000 in obligations of the consolidated company, and will be amortized with 2½ per cent serial notes maturing annually to 1946.

Will Retire Bond Issues

The new money will be used to retire $4,454,000 of B. F. Keith bonds outstanding and $580,000 of Keith Memorial bonds outstanding, each at 101 plus accrued interest, and, in addition, the new consolidated company will pay in cash to K-A-O a $919,000 obligation of Greater New York Vaudeville Theatres Corp.

Keith Treasury bonds of $1,028,000 and $10,000 of Keith Memorial bonds will be surrendered for cancellation by those companies.

Single and Group Selling For 20th-Fox Next Season

(*Continued from page* 1)

series, one of the "Michael Shayne, Detective," series, and three others not yet determined.

The first block will be made up at the company's sales convention to be held in Los Angeles July 16 to 18, Wobber said. Pictures to be screened at the convention in completed or partial form will include "Charley's Aunt," "Sun Valley," "Belle Starr," "Wild Geese Calling," "A Yank in the RAF," "Weekend in Havana," "How Green Was My Valley," and others.

Wobber said the number of pictures the company will make next season is as yet indefinite, and that the number "will be governed by returns."

Trade showings, at least for the start of the season, will be held at the company's exchanges, he said.

The new selling system will give production heads their first opportunity to determine quickly how their efforts are faring, Wobber declared, and will prove or disprove exhibitor and public acceptance of types of stories, name players, directors and producers.

"We will be able to find out whether 'A' pictures have been carrying the 'B' pictures or the 'B's' carrying the 'A's,'" he said. "With the new system, as compared with the old, good pictures will get 'bonuses' in additional revenue. Bad pictures will earn less."

Production assumes a heavier responsibility under the consent decree method of selling, Wobber declared, because each picture or blocks of pictures will be sold strictly on merit, as decided by exhibitors at trade showings.

"Through the exhibitors we will be able to obtain a first-hand quick answer to the public's likes and dis likes at any certain period," he said. "We will be able to predetermine what type of picture will be in demand, whether it be comedy, drama, musical or whatever.

Gauge to Values

"Also, what is more important, we will have an accurate lineup, when the company's program is not presold for the entire year, of the boxoffice value of stars, directors and producers than ever before.

"Every picture will be on its own. The studios will not be limited to the amount of money to be spent on films. Predetermination of the value of any picture will be based on a combination of our own judgment, cost of the film and exhibitor reaction, and through the showmen, the reaction of the public."

Regarding arbitration as conducted under the consent decree, Wobber said no serious, radical changes in exhibition-distribution policies had resulted thus far.

French Cool to Nazi Films: deRochemont

(*Continued from page* 1)

in occupied and unoccupied France. He returned from Europe last week.

One such film, de Rochemont said, was "Goodbye, Mr. Chips," which contains a reference to the Nazi war tactics. After running for weeks, the scene was finally discovered and deleted, he said.

German pictures, some of which are being made in Paris by Tobis and Ufa, are virtually ignored, de Rochemont reported. These invariably are of a propaganda nature, designed to imbue the French with the German ideologies,

Theatres mostly are offering American and French reissues, and despite this, exhibition in unoccupied territory is almost normal, de Rochemont said.

Some new product is coming from two producers who are permitted to carry on. These are Marcel Pagnol, producing in Marseilles, and Jean Prouvost, former newspaper publisher, who operates the Imperia Film Co. in Nice. Pagnol's "The Welldigger's Daughter" has met with success and played at advanced prices, but otherwise admissions generally are slightly below normal, de Rochemont said.

Opens in Baltimore Soon

BALTIMORE, June 29.—The new Uptown Theatre, with a seating capacity of 1,100, is scheduled to open shortly. The owner is Lauritz Garman, who also owns and operates the Pimlico, Avalon and Pikesville theatres.

Para.'s New Films 'Tailored': Balaban

(*Continued from page* 1)

New York several months ago, and details of a "general constructive program" were worked out, Balaban said.

He remarked that he was "very happy about the program," and forecast that the quality of Paramount product would improve more and more, saying that 1941-'42 will be better than 1940-'41 as the present season was better than 1939-'40.

Pictures for the first block-of-five have been selected and will be announced shortly, he stated.

Deny More Time in Prefect Trust Case

NEW HAVEN, June 29.—Extension of time in which to plead to the complaint has been denied the defendant, Loew's, Inc., RKO, Warners, Paramount, Universal, Columbia, 20th-Fox and United Artists, in the $5,452,575 anti-trust suit of Prefect Theatres, Inc., Greenwich, Conn., in the U. S. District Court here, by Judge Carroll Hincks.

Motions for more specific statements filed by the same defendants were denied for the most part. Permission to clear up a few paragraphs was granted, however, such as the reference of the complaint to pictures "collectively produced and collectively distributed," as to whether it is meant to imply "jointly produced and distributed."

Short Subject Reviews

"Tom Thumb's Brother"

(*Columbia*)

Tom Thumb now comes up with a tiny brother, Pee Wee. The cartoon, a "Color Rhapsody," shows the two getting into mischief around the house. Subsequently a kitten com[illegible] on the scene and threatens Tom. Pee Wee and a needle bring about the quick departure of the feline. The reel has good color work but the laughs are limited. Running time, 7 mins.

"Kitty Gets the Bird"

(*Columbia*)

Kitty gets a beating and the sly mouse is treated to a turkey dinner but the audience will find little to laugh at in this cartoon. It contains the usual cartoon treatment of the mouse and cat theme, one chasing the other. Running time, 7 mins.

"Aquaplay"

(*Columbia*)

High speed aquaplaning and daredevil outboard chasing in Florida are contained in this sports item. The subject matter is fast and furious and should provide a thrill for the sports fan. Bill Stern delivers the commentary. Running time, 10 mins.

"Fighter Pilot"

(*Columbia*)

This is a propaganda short from England dealing with the R.A.F. fliers and is being released by Columbia as a "Cinescope." The film follows the pilots from their quarters to actual battle, taking note of how they spend their leisure moments, what they wear when flying, operation of the planes and lastly the attack upon enemy craft. The subject is timely. Running time, 10 mins.

Canada Restricting Theatre Use of Oil

TORONTO, June 29.—The Dominion Government has imposed a further restriction on theatre construction or improvement for the duration of the war by issuing a decree forbidding the installation or replacement of any equipment requiring oil for heating or otherwise maintaining the building.

The enactment by Order-in-Council will be enforced by G. R. Cottrelle, Oil Controller of the Canadian Government. Oil furnaces now in operating condition will not be disturbed for the present, it is stated. The order was put through as a move to conserve the supply of gasoline and fuel oil for the munition industries and essential utilities.

W. B. Get Conn. Theatre

The Warner circuit has leased the Alhambra in Torrington, Conn., a 1,250-seat theatre which recently was completely renovated. Ephrem Smith of Torrington is the owner.

Para.-Richards Plan Unit

GREENWOOD, Miss., June 29.—Paramount-Richards, Inc., has obtained a permit to construct a new film theatre here with a seating capacity of 1,000 at a cost of $48,000.

Ascap-Network Negotiations' Collapse Seen

(*Continued from page* 1)

network proposal is no more acceptable than the CBS proposal.

It was also indicated that no further negotiation with either network is in prospect, insofar as Ascap is concerned. The society has in preparation an anti-trust suit against NBC, CBS, RCA, BMI and the National Association of Broadcasters.

The NBC counter proposal to Ascap, made by Niles Trammell, president, included 2½ per cent payment on network commercial business, contrasted with Ascap's terms of three per cent for four years and three and one-half per cent annually thereafter. CBS's counter offer was two per cent based on an average of the years 1936-'39, and one and one-half per cent of the excess of such net receipts in any one year exceeding this average.

Offered 2 Per Cent on Spot

NBC also proposed that individual stations pay two per cent on local and national spot commercial business and agreed to clear and pay for the use of all Ascap music on all network sustaining programs. In addition it proposed four methods for Ascap to offer to independent network stations for the use of Ascap music locally.

The proposal was made subject to the acceptance by NBC affiliates of their portion of the network commercial license fee which NBC, under the terms of the Ascap consent decree, must pay for clearing all network music at the source.

WRUL Is Now Peak Short Wave Station

Boston, June 29.—A new beam antenna system has been installed at Station WRUL to make it one of the most powerful short wave stations in the world, it was announced by Walter S. Lemmon, president of the World Wide Broadcasting Foundation.

Under approved plans, the station, which now operates on 50,000 watts, eventually will go on two beams—one of 2,000,000 watts and the other of 1,000,000 watts. Broadcasts now are made daily in 12 languages and with the increased power the program is to be extended so that Europe and South America can be covered simultaneously.

Canadian Set Sales 77,121 in 3 Months

Toronto, June 29.—The sale of radio receiving sets in Canada during the first three months of 1941 totaled 77,121, compared with 71,503 for the same period of 1940, it is officially announced. In the last quarter of 1940, no less than 164,670 sets were sold in the Dominion, due to Christmas shopping and to the desire of prospective owners to get in before a price increase due to expected higher taxes.

Off the Antenna

JOHN ANDERSON, CBS correspondent in Berne, Switzerland, was the sole American representative attending the annual conference of the International Broadcasters Union at Lausanne, Switzerland, which concluded its three-day session on Saturday. British delegates did not attend this year, and Russian delegates, expected before Germany started war against their country, did not arrive.

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Purely Personal: *Leslie Paul, at present with the Fred Waring organization, on Aug. 1 will become music director of WJJD, Chicago, succeeding Ben Kanter, resigned. . . . Bernard Johnson, announcer on WCKY, Cincinnati, is the father of a son, born last week at Bethesda Hospital there. . . . New additions to the WOR announcing staff are Frank Dunne and Joseph Ripley. . . . Arthur Schoenfuss, WABC technician, led the men at Camp Wheeler, Ga., where he is in training, in rifle scoring. . . . Gordon G. Vanderwarker has been promoted to assistant to George H. Frey, general sales service manager of the NBC-Red. . . . Idella Grindlay has been appointed office manager of the NBC production division. Heretofore she had been in charge of studio assignments. Alberta E. Hackett switches posts with her. . . . Thomas Richworth of NBC has been elected to the National Council of the Boy Scouts of America. . . . Willson M. Tuttle, director of the "Big Sister" program over CBS, and Alice Frost, star of the show, were married Friday in Bedford Village, N. Y. . . . Edmund A. Chester, CBS director of shortwave broadcasts and Latin American programs, and Mrs. Chester became the parents of a daughter late last week.*

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Kate Smith's contract, which still has two years to run, has been renewed by her sponsor, General Foods Corp., for her Variety Hour program over CBS to continue through June, 1944. She has been broadcasting for her present sponsor since 1937.

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Program News: The Holland Furnace Co. will sponsor "The Housewarming," program to be heard over the NBC-Red Thursday, 8-8:30 P.M., starting July 17. Benny Goodman's orchestra will be featured. Hollywood players will be guests. . . . Argentina's Independence Day, July 9, will be saluted by CBS with a musical program to South America from 2:30 to 3 P.M. . . . The Florida Citrus Commission will participate in the WABC Arthur Godfrey program Monday through Saturday, 7-7:15 A.M. . . . Time of the Colgate-Palmolive-Peet Co. CBS program, "Colgate Spotlight," will be changed, beginning July 5, to Saturday, 8-8:30 P.M. Former time was Thursday, 8-8:30 P.M. . . . KDKA, Pittsburgh, has stepped up its news broadcasts to 19 per day. . . . Peter Paul, Inc., candy company, has renewed for 26 weeks the morning news program, from 6:45 to 6:50 A.M., over WEAF. . . . Leland Stowe will broadcast a news analysis over Mutual July 2, 8 and 15, at 10 P. M., as partial substitute for Raymond Gram Swing, who is en route to London. Swing will broadcast several of his news programs from England.

Store Buys Share in Philadelphia Station

Washington, June 29. — Transfer of a 50 per cent interest in Station WFIL, Philadelphia, from Strawbridge & Clothier to Lit Brothers, two Philadelphia department stores, for $126,000, has been approved by the FCC.

The commission also granted a construction permit to Krasin & Krutzner for a new 1,400 kilocycle, 250-watt station at Tucumcari, N. M., and granted applications of KICA, Clovis, N. M.; for change of frequency from 1,400 to 1,240 kilocycles and increase of power from 100 to 250 watts; WWRL, New York, for increase of power from 250 to 5,000 watts; WIZE, Springfield, Mo., for increase of power from 100 to 250 watts, and KROW, Oakland, Cal., for increase of power from 1,000 to 5,000 watts.

Mutual's Station in Capital Leaves NAB

WOL, Mutual outlet in Washington, has resigned from the National Association of Broadcasters, it was announced Friday. William B. Dolph, general manager of the station, in a letter to Neville Miller, NAB president, cited what he termed the "undemocratic treatment" of members by the association."

New Web Formed of Wisconsin Stations

Sheboygan, Wis., June 29.—A new regional network, Wisconsin Network, Inc., jointly owned by WHBY, Appleton; KFIZ, Fond du Lac; WCLO, Janesville; WHBL, Sheboygan; WSAU, Wausau, and WFHR, Wisconsin Rapids, has been organized here.

Hiram H. Born, Sheboygan, has been elected president of the new network; James F. Kyler, Janesville, vice-president, and the Rev. James A. Wagner, Green Bay, secretary-treasurer. The new web will exchange programs of primary interest to Wisconsin listeners.

WOSU Increases Power

Columbus, O., June 29.—WOSU, Ohio State University station, unique in this area in that it does not carry advertising or commercials, will change from 570 to 820 kilocycles, and increase its power from 1,000 to 5,000 watts about July 15. The station's hours also will be increased approximately 75 per cent.

Dismisses Song Suit

Federal Judge Edward A. Conger on Friday dismissed the suit of Thornton W. Allen against Walt Disney Productions, RKO, and Irving Berlin, Inc., ruling that the song, "Some Day My Prince Will Come," played in the film, "Snow White," did not plagiarize the plaintiff's "Old Eli March."

NBC Has Only Sponsor Grant On Television

(*Continued from page* 1)

commercial licenses, preferring to wait until they have lined up their operations and can go ahead with sponsored broadcasts. FCC officials said they were satisfied with that situation since, while the way was open for all stations to go commercial July 1, there was no deadline and a gradual switch-over was more desired than a grand rush by all to go sponsored immediately.

NBC Issues First Television Rate Card

NBC on Friday issued the first commercial television rate card in the history of the industry. The rates are from $120 an hour for evening weekday broadcasts to $60 an hour for weekday afternoon shows and $90 for Sunday daytime hours. No Sunday evening broadcasts are planned for the present.

In addition to the time costs, charges also are made for the use of studio film and mobile transmitter facilities. These range from $150 per hour for the main studio in Radio City to $75 an hour for the use of small studios and the field pickups. Service spots, for television programs of news, weather and the like, are priced at $8 per minute in the evening and $4 per minute during the day. All production costs, including talent, announcers, musicians, script rights and the like, are to be billed to the client at NBC rates.

NBC said several advertisers have contracted for air time, but no details were available. News, sports events, films and some studio dramatic programs are expected to feature the NBC telecasts, at least for the time being.

CBS on at 2:30 Tomorrow

The initial CBS telecast will be a news program at 2:30 P. M. tomorrow. The network will not adhere to a strict schedule of program transmission, it was explained, but probably will go on the air from 2:30 to 3:30 and 8 to 9:30 P. M., Monday through Friday, and 2 to 4 P. M., on Saturday. CBS meanwhile will continue its experiments on color television.

Increase CBC Staff To 623 Due to War

Toronto, June 29.—The staff of the Canadian Broadcasting Corp. has been increased from 180 to 623 because of the war, and substantial increases in pay have been granted the technical and program employes of the network. Recently, the clerical and office staffs were given pay rises. Pleas for a conciliation board to consider working conditions were refused on the ground that the network staffs are in Government employ.

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